



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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March 24, 1999

To: File

Thru: Joe Helfrich, Permit Supervisor, Compliance
Pamela-Grubaugh Littig, Permit Supervisor
Daron Haddock, Permit Supervisor, Permitting

PHH
PG
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for PGL

From: Peter Hess, Reclamation Specialist III *PHH*

RE: Rilda Canyon Surface Facility Access, Deer Creek Mine, PacifiCorp, Energy West Mining Company, ACT/015/018, Emery County, Utah

File #2

SUMMARY:

In a letter dated March 9, 1999 from Mr. Chuck Semborski, Geology/Environmental Supervisor at Energy West Mining Company, to Ms. Pamela Grubaugh-Littig of the Salt Lake Office of the Utah Division of Oil, Gas, and Mining, Mr. Semborski informed the Division that it has been shown by actual in-Mine pressure/volume conditions that the current fresh pumps will not be capable of providing adequate water volumes to the North Rilda mining area. It will be necessary to add one additional pump stage to each pump in order to meet pressure and volume requirements for the longwall faces in the North Rilda area. Energy West anticipates completion of mining activities off the 3rd North Mains at the end of March or early April.

Energy West anticipates initiation of mining in the North Rilda area by mid-April. In order to meet mandatory pressure/volume requirements at the face, they are requesting access to the Rilda Canyon surface facilities via the Emery County road/disturbed area access road. To modify the pumps, it is necessary for the manufacturer's service representative to have the availability of a 1 ton service truck with its various service components and tools. The service representative also utilizes this truck as personal transportation to sleeping accommodations. Also, the permittee does not want a potential to exist for the vandalism of this vehicle.

Energy West anticipates that the pump modifications can be made in one to three days; the requested access dates are from April 5 through April 16, 1999. The modifications must be made while the longwall is being moved, and be on line when mining is ready to be initiated.

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As of March 23, there is not sufficient snow in Rilda to require snow removal. This was confirmed by Mr. Chris Colt, Habitat Biologist with the Utah Division of Wildlife Resources as he and Mr. Bob Willey of Energy West investigated concerns about raptors in the area.

A golden eagle nest exists approximately .47 miles from the Rilda Canyon surface facilities. As of 3:02 P.M. on 3/23/99, Mr. Colt **had no concerns relative to wildlife** regarding the requested allowable access. This is confirmed by the attached letter from UDWR and signed by Mr. Miles Moretti.

Regarding this request, the USFS Manti-LaSal National Forest Price office was queried, with Mr. Jeff DeFreest, Geologist, being the contact. Mr. DeFreest discussed the requested allowable access with several individuals within his agency.

Mr. Rod Player, USFS Wildlife Biologist, revealed to Mr. DeFreest that the road, being absent of snow, had allowed a great many lion hunters in and out of the area; one more truck making a few trips would not affect the quality of winter range conditions for the elk herd. Also, Mr. Colt (UDWR) and Mr. Player are in agreement regarding the elk winter range and raptor nesting concerns.

Mr. DeFreest also discussed the issue with Mr. John Healy, Acting District Ranger. At this time, all USFS personnel concur that it is acceptable for the Division to grant Energy West Mining Company temporary access to the Rilda Canyon surface facilities.

PERMIT CONDITIONS

Regulatory Reference: R645-300-143.

Analysis:

Compliance with Terms and Conditions of the Permit

Volume 2, Part 3, page 94E and Volume 11, Section 500, page 38 of the Deer Creek Mine mining and reclamation plan discusses the vehicular use of the Rilda Canyon access road. "Vehicular use of the road will only occur in emergency situations. Snow removal will only occur in emergency situations."

It is this reviewer's opinion that a lack of adequate water pressures and volumes in the North Rilda area could give rise to an emergency situation, in that adequate fire fighting capability would not be capable of being maintained by mine management. This would present a definite problem with the U.S. Dept. Of Labor, Mine Safety and Health Administration.

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Adequate water pressures and volumes must also be maintained by continuous miner development sections and retreating longwall sections in order to meet the ventilation/dust control requirements of the MSHA approved ventilation plan. If these volume/pressure requirements cannot be met, mining can be stopped, according to Federal law.

Both of the aforementioned situations can be considered an emergency from the permittee's perspective.

At present, insufficient snow exists in Rilda Canyon to require plowing. The applicant is aware that the requested access through Rilda Canyon to the surface facilities for the Deer Creek Mine to modify the mine pressure pumps is only for the period from April 5 through April 16, 1999.

Findings:

The permittee, in cooperation with Utah DOGM, DWR and USFS Manti-LaSal Forest Service personnel, has received concurrence to proceed with access from the two primary surface management agencies governing the Rilda Canyon area. This can be verified by attached documents from the USFS and the Utah DWR.

The permittee considers the modification to the Rilda Canyon mine pressure pumps to be an emergency, as adequate fresh water pressures and volumes must be maintained to keep the Mine operating from a fire fighting as well as a coal producing perspective.

This request is within the permit conditions of the mining and reclamation plan.

CONCLUSION AND RECOMMENDATION

It is recommended that the Utah Division of Oil, Gas, and Mining allow Energy West Mining Company temporary, one-time access through Rilda Canyon to the Deer Creek Mine portal facilities located in the upper reaches of same for the period of April 5 through April 16, 1999 for the purpose of making the modifications necessary to enhance the pressure/volume requirements of the Mine's fresh water pressure pumps.

From: <DeFreest_Jeff/r4_m-l@fs.fed.us>
To: <nrogm.phess@state.ut.us>
Date: Tue, Mar 23, 1999 5:37 PM
Subject: Rilda Road Access

Pete- As discussed on the phone today, I reviewed the proposal submitted by Deer Creek Mine to access their facility in Rilda Canyon and I consulted with various specialists about potential impacts.

Discussion with Bob Willey at the mine convinced me they couldn't do the task thru the mine since it was to be done by an outside contractor who needed his own truck & tools to accomplish the pump work. My understanding was that the contractor and an assistant would use a 1-ton flat bed truck to get in for 1 or 2 days work in early April. It should not require numerous vehicles nor any heavy equipment.

Discussion with Rod Player, FS Wildlife Biologist, revealed that with the road being pretty clear this year, many vehicles, primarily lion-hunters, have been in and out of the area already; so one more truck shouldn't affect the quality of winter range conditions for the elk herd.

Chris Colt of DWR called and agreed with Rod's opinion on the winter range and also added there'd be no problems related to raptor nesting at present.

John Healy, Acting District Ranger concurred, so as far as we are concerned you can permit the temporary access for this specific project.

CC: <jhealy/r4_m-l@sv2wo.wo.fs.fed.us>, <rplayer/r4_m-...