



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

Michael O. Leavitt
Governor
Kathleen Clarke
Executive Director
Lowell P. Braxton
Division Director

1594 West North Temple, Suite 1210
PO Box 145801
Salt Lake City, Utah 84114-5801
801-538-5340
801-359-3940 (Fax)
801-538-7223 (TDD)

April 10, 2000

Chuck Semborski, Environmental Supervisor
Energy West Mining
P.O. Box 310
Huntington, UT 84528

Re: Findings for Revised Permit Drawings Amendment, PacifiCorp, Deer Creek Mine, ACT/0015/018-AM00A, Outgoing File

Dear Mr. Semborski:

The above-referenced amendment has been reviewed and there are deficiencies that must be adequately addressed prior to approval. A copy of our technical analysis is enclosed for your information. Please respond to these deficiencies by April 28, 2000 or the Division will return your application.

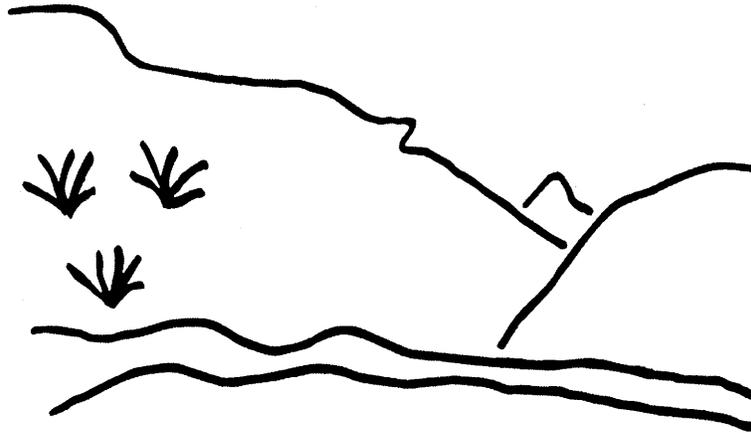
If you have any questions, please feel free to call Mike Suflita, Team Lead, at (801) 538-5259, or me at (801) 538-5325 .

Sincerely,

A handwritten signature in black ink that reads "Daron R. Haddock". The signature is written in a cursive style.

Daron R. Haddock
Permit Supervisor

State of Utah



Utah Oil Gas and Mining

Coal Regulatory Program

Deer Creek Mine
Revised Permit Drawings Amendment
ACT/015/018 - Amendment 00A
Technical Analysis
March 27, 2000

INTRODUCTION 1

SUMMARY OF OUTSTANDING DEFICIENCIES 2

OPERATION PLAN 3

 TOPSOIL AND SUBSOIL 3

 HYDROLOGIC INFORMATION 3

 Diversions 4

 MAPS, PLANS, AND CROSS SECTIONS OF MINING OPERATIONS 5

RECLAMATION PLAN 6

 TOPSOIL AND SUBSOIL 6

INTRODUCTION

INTRODUCTION

On February 4, 2000 the Division received an amendment to update two maps in the Mining and Reclamation Plan (MRP). This Technical Analysis is a review of that submittal. There are deficiencies resulting from the review.

SUMMARY OF OUTSTANDING DEFICIENCIES

The Technical Analysis regarding the proposed permit changes is not complete at this time, pending submittal of additional information by the Permittee and further review by the Division, to address outstanding deficiencies in the proposal. A summary of those outstanding deficiencies is provided below. Additional comments, concerns, and deficiencies may also be found within the analysis and finding make in the Draft Technical Analysis which have not been presented in this summary. Upon finalization of this review, any outstanding deficiencies will be evaluated for compliance with the regulatory requirements. Such deficiencies may be conditioned to the requirements of the permit issued by the Division, result in denial of the proposed permit changes, or may result in other executive or enforcement actions as deemed necessary by the Division at that time to achieve compliance with the Utah Coal Regulatory Program.

Accordingly, the permittee must address those deficiencies as found within this Draft Technical Analysis and provide the following, prior to approval, in accordance with the requirements of:

- R645-301-120 and R645-301-150**, Prior to approval of the revised reclamation plan, the Division cannot approve at this time either the addition of proposed refuse sampling locations on Drawing CM 10344 DR or deletion of the "SS" sampling locations on Drawing DS 202 E. 6

- R645-301-120, R645-301-130, and R645-301-150**, Include current information to amend the MRP concerning the "DC" sampling project, including project description, methodology, sample results, raw laboratory data sheets, field information, and who conducted the sampling. 3

- R645-301-740**, provide revisions to the map as detailed above, designs showing the adequacy of the new ditch, and re-stake the revised Disturbed Area boundary in the field. 4

OPERATION PLAN

OPERATION PLAN**TOPSOIL AND SUBSOIL**

Regulatory Reference: 30 CFR Sec. 817.22; R645-301-230.

Analysis:

The submittal consists of two maps, 3-9 Deer Creek Mine Surface Yard Map DS202E, and 2-17, Deer Creek Coal Mine, Mine Plan Area Soils Map CM-10344-DR. Both are certified by a Registered Engineer. The accompanying cover letter indicates the new maps were submitted to represent current conditions at the Deer Creek Mine. Drawing CM 10344 DR will replace a blue-lined copy of a 1980 air photo since the 1980 photo does not accurately depict the surface facilities that currently exist. The letter indicates the additions and deletions on each of the revised drawings.

Drawing CM 10344 DR also includes 18 "DC" terrace enhancement project sample locations. However, the amendment contains no information concerning these samples. In order to approve this drawing with the added "DC" sample locations, the submittal needs to include current information to amend the MRP concerning the "DC" sampling, including project description, methodology, sample results, raw laboratory data sheets, field information, and who conducted the sampling.

Findings:

Information provided in the application is not considered adequate to meet the requirements of this section of the regulations. The applicant must provide the following in accordance with:

R645-301-120, R645-301-130, and R645-301-150, Include current information to amend the MRP concerning the "DC" sampling project, including project description, methodology, sample results, raw laboratory data sheets, field information, and who conducted the sampling.

HYDROLOGIC INFORMATION

Regulatory Reference: 30 CFR Sec. 773.17, 774.13, 784.14, 784.16, 784.29, 817.41, 817.42, 817.43, 817.45, 817.49, 817.56, 817.57; R645-300-140, -300-141, -300-142, -300-143, -300-144, -300-145, -300-146, -300-147, -300-147, -300-148, -301-512, -301-514, -301-521, -301-531, -301-532, -301-533, -301-536, -301-542, -301-720, -301-731, -301-732, -301-733, -301-742, -301-743, -301-750, -301-761, -301-764.

OPERATION PLAN

Analysis:

Diversions

The submittal consists of two maps, 3-9 Deer Creek Mine Surface Yard Map DS202E, and 2-17, Deer Creek Coal Mine, Mine Plan Area Soils Map CM-10344-DR. Both are certified by a Registered Engineer. The accompanying cover letter indicates the new maps were submitted after a recent field inspection showed some minesite drainages were not shown on the map. The letter also indicates the additions and deletions on the revised drawings. However, one of the additions to drawing DS202E, an ASCA Table, could not be found. Several of the diversion ditches appeared to improve the site by directing the water and thus controlling erosion. The new berms appear to enhance safety at the edges of several flat areas and the berms help direct water flows.

The Disturbed Area boundary has been changed in the southwest corner of the site as a result of identifying diversion ditches in the area. One new diversion ditch is shown on the map west of the mine office/bathhouse. The engineering design of this ditch to meet regulatory design storm events was not included with the submittal. The design for this ditch will need to be submitted before the revised map can be approved. See Regulatory Reference R645-301-742.300 for the appropriate design criteria. Also, the Division Position Paper on Design Storm Event Criteria, August 20, 1992 indicates all drainages leading to the sediment pond should be designed for a 10-year, 24-hour event.

The new map shows the disturbed area much more clearly than the map which it replaces. Upon reviewing the Disturbed Area boundary and constructed features at the minesite the following areas were found to be outside the Disturbed Area boundary. The boundary will need to be redrawn to include these features. The Disturbed Area will need to be re-staked in the field to properly delineate the minesite.

- A 10-inch water line, north of the truck loadout,
- A 10-inch water line & 8-inch sewer line, north of the road in the upper right of the map,
- A newly added berm and ditch, northwest of the mine office/bathhouse.

The water bars on the fan access road do not show which way the water flows. This needs to be added to the drawing. They should be flowing to the ripped ditch.

Findings:

In its present form the submittal does not meet minimum regulatory requirements. Accordingly, the Permittee must address those deficiencies as found within this Technical Memo and provide the following, prior to approval, in accordance with the requirements of:

R645-301-740, provide revisions to the map as detailed above, designs showing the adequacy of the new ditch, and re-stake the revised Disturbed Area boundary in the field.

OPERATION PLAN

MAPS, PLANS, AND CROSS SECTIONS OF MINING OPERATIONS

Regulatory Reference: 30 CFR Sec. 784.23; R645-301-512, -301-521, -301-542, -301-632, -301-731, -302-323.

Analysis:

Mining Facilities Maps

The permittee has submitted an updated drainage map. This map is P.E. certified as required by the Coal Rules.

Findings:

Drainage map has been submitted and is considered adequate to meet this section of the R645 Coal Rules.

RECLAMATION PLAN

TOPSOIL AND SUBSOIL

Regulatory Reference: 30 CFR Sec. 817.22; R645-301-240.

Analysis:

The amendment explains that PacifiCorp recently submitted a revised reclamation plan for the Deer Creek Mine. As explained, future sampling of the refuse piles in the Deer Creek and Elk canyons will be conducted at reclamation time; and therefore, proposed sampling locations have been included on Drawing CM 10344 DR. These proposed sampling sites have not been approved by the Division since the recently submitted revised reclamation plan for Deer Creek Mine is not approved. Therefore, it is premature to include these sample locations on Drawing CM 10344 DR since the Division cannot approve these locations without a complete review and analysis of the revised reclamation plan.

The "SS" sampling locations outlined in the existing MRP (Volume 2, Part 4, pg. 4-24 thru 4-25) have been deleted off Drawing DS 202 E. However, the submittal needs to include amended information for the MRP deleting any reference and discussion concerning the "SS" sampling locations. Since a revised sampling/exploration program is currently under review with the recent revised reclamation submittal and is not yet approved by the Division, it is premature to delete the "SS" sample locations from Drawing DS 202 E. Therefore, the Division cannot approve the deletion of the "SS" sample locations until the revised reclamation plan is approved.

Findings:

Information provided in the application is not considered adequate to meet the requirements of this section of the regulations. The applicant must provide the following in accordance with:

R645-301-120 and R645-301-150, Prior to approval of the revised reclamation plan, the Division cannot approve at this time either the addition of proposed refuse sampling locations on Drawing CM 10344 DR or deletion of the "SS" sampling locations on Drawing DS 202 E.

RECOMMENDATION:

The amendment application should not be accepted until the above deficiencies have been adequately addressed by the applicant