



PO Box 310
Huntington, Utah 84528

April 4, 2002

Utah Coal Program
Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, Utah 84114-5801

Attn: Daron Haddock

Subject: **Response to Deficiencies in the Deer Creek Mine, Revised Reclamation Plan, PacifiCorp, Deer Creek Mine, C015/018-AM99C-5, Emery County, Utah**

*Incoming
C/015/018
AM 99C*

PacifiCorp, by and through its wholly-owned subsidiary, Energy West Mining Company ("Energy West") as mine operator, hereby submits responses to the deficiencies of the Deer Creek Mine revised reclamation Plan.

In reviewing the deficiencies of the technical analysis, it was noted that the first three deficiencies were repeated from the previous round. These deficiencies were responded to and corrected in the November 8, 2001 submittal. The reviewer of this section of the permit needs to be given up to date material to eliminate needless and time wasting work for the Division, as well as, Energy West.

The attached document attempts to answer the deficiencies in the order they were received. The Division's findings will be first listed by regulation and explanation. Energy West will follow by a response in italics.

Accompanied with this letter are two copies of the reclamation plan for you Round Seven Review process. Please replace the pages of the previous submittal titled *Revised Reclamation Plan, Round Six Review, November 2001* with the amended pages of the reclamation plan included with this submittal. C1/C2 forms are included to show placement of the said pages. When approved, seven (7) clean copies of the revised reclamation plan will be submitted to the Division.

If you have any questions or concerns regarding this document, please contact myself at (435) 687-4720 or Dennis Oakley at (435) 687-4825.

Sincerely,

A handwritten signature in cursive script that reads 'Charles A. Semborski'.

Charles A. Semborski
Permitting/Geology Supervisor

Enclosure: Response to Technical Analysis Deficiencies
C1/C2 Forms

Cc: Carl Pollastro (EWMC, w/o encl.)
File

Huntington Office:
(435) 687-9821
Fax (435) 687-2695
Purchasing Fax (435) 687-9092

Deer Creek Mine:
(435) 687-2317
Fax (435) 687-2285

Trail Mountain Mine:
(435) 748-2140
Fax (435) 748-5125

The following responses to deficiencies are formatted as found in the technical analysis document. They are broken down into logical section headings similar to the R645 regulations. In each section, the regulation number along with the associated deficiency is followed by the permittee's italicized response.

GENERAL CONTENTS

Permit Application Format and Contents

R645-301-121.200, Locate sample site DC0899 on Plate DS-1810-D. Correlate information given on page 2-2 with that provided in Appendix R645-301-200-A concerning the area to be sampled for substitute topsoil potential. Please replace reference to Appendix A of the Division's soil guidelines on page 2-2 with the Table 6 Recommended Laboratory Methods, of the Division's 1988 *Guidelines of Management of Topsoil and Overburden for Underground and Surface Coal Mines*.

The deficiencies listed above were resolved with the November, 2001 submittal.

R645-301-121.200, The Permittee must give the Division a submittal that contains all the relevant information in the four previous submittals. The Division needs the information submitted in that form so that the staff can review the reclamation plan without having to refer to four previous submittals..

The deficiency listed was resolved with the November, 2001 submittal. A revised reclamation plan complete with appendices was submitted November 8, 2001.

Reporting of Technical Data

R645-301-130, Submit original laboratory reports for Site #1 and Site #6 Lab Analysis.

The deficiency listed above was resolved with the November, 2001 submittal. The original laboratory reports for these sites were included in Section R645-301-200-A.

RECLAMATION PLAN

Topsoil and Subsoil

R645-301-232.200, Include in the reclamation plan additional sources of substitute topsoil salvage, due to the additional requirements for four feet of cover over the refuse. The Division notes that the plan overlooks suitable substitute topsoil described in the approved MRP (Vol. 2, Part 4, page 4-29).

The additional sources of topsoil material that is found on-site will be used in the location that it is found. For example, as recontouring is conducted to the fan pad and access road, the berm (as shown on the respective cross-section) and outslope will be utilized as a top covering.

All toxic refuse material found will be covered with non-toxic fill material that is excavated on-site. Refer to Section R645-301-500: Engineering, page 5-9 for changes in the handling and placement of toxic materials found in the Deer Creek material storage yard.

R645-301-251, Revise the estimated average cover depth over the reclaimed site based upon four feet of cover over the refuse in Elk Canyon and Deer Creek Canyon.

Please review Section R645-301-500: Engineering, page 5-9 for changes in the handling and placement of toxic materials found in the Deer Creek material storage yard. This handling and placement of these materials will not affect the volume of topsoil cover in these locations. There is a estimated 2 1/4 feet of substitute topsoil material that can be utilized as a growth media. This material will be placed as outlined on map DS-1816-D in Appendix R645-301-500-C.

R645-301-731.311, Refuse sampling in 2001 has confirmed the toxic nature of the refuse. For the purposes of planning adequate burial location and cover material, indicate in the plan the volume of refuse in the Deer Creek refuse pile (vicinity of site #1) and the Elk Canyon refuse pile (vicinity of site #6) and the planned reclamation backfill locations for the refuse.

The volume of toxic refuse is impossible to delineate without an extensive sampling of each pile. However, it has been shown from past sampling (site #1 on map DS-1810-D in Appendix R645-301-200-B and sample results in R645-301-200-A) that the top 7.5 feet of the Deer Creek refuse pile is contaminated with salt leachate. This leachate is probably caused from heavy salting of travelways during the winter months to eliminate snow and ice.

Section R645-301-500: Engineering, page 5-9 has been amended to show how the toxic material found on the Deer Creek canyon refuse pile (surface of the material storage yard) will be excavated and covered. Site #6 indicated no unacceptable suitability evaluation criteria. Please note that both areas (the Deer Creek and Elk canyon refuse piles) are proposed for a more extensive sampling for chemical properties for subsoil use. Each of these areas is shown to receive 2 1/4 feet of substitute topsoil material.

Bonding and Insurance Requirements

R645-301-830.130, The permittee did not include a detained reclamation cost estimate in the amendment. The Permittee informed the Division that the reclamation cost estimate would not be submitted until the reclamation plan was approved. The Division agreed to that procedure. Prior to final approval the Permittee must submit a detailed reclamation cost estimate.

This procedure is still agreeable to Energy West.

APPLICATION FOR PERMIT PROCESSING

<input checked="" type="checkbox"/> Permit Change	<input type="checkbox"/> New Permit	<input type="checkbox"/> Renewal	<input type="checkbox"/> Transfer	<input type="checkbox"/> Exploration	<input type="checkbox"/> Bond Release	Permit Number: C/015/018
Title of Proposal: Amendment to Revise Deer Creek Reclamation Plan, Deer Creek Mine, PacifiCorp, C/015/018-AM99C-5, Emery County, Utah						Mine: DEER CREEK
						Permittee: PACIFICORP

Description, include reason for application and timing required to implement: Revised plan to reflect final reclamation completed in December 1999.

Instructions: If you answer yes to any of the first 8 questions (gray), submit the application to the Salt Lake Office. Otherwise, you may submit it to your reclamation specialist.

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	1. Change in the size of the Permit Area? _____ acres Disturbed Area? _____ acres <input type="checkbox"/> increase <input type="checkbox"/> decrease.
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	2. Is the application submitted as a result of a Division Order? DO #
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	3. Does application include operations outside a previously identified Cumulative Hydrologic Impact Area?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	4. Does application include operations in hydrologic basins other than as currently approved?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	5. Does application result from cancellation, reduction or increase of insurance or reclamation bond?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	6. Does the application require or include public notice/publication?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	7. Does the application require or include ownership, control, right-of-entry, or compliance information?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	9. Is the application submitted as a result of a Violation? NOV #
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	10. Is the application submitted as a result of other laws or regulations or policies? Explain:
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	11. Does the application affect the surface landowner or change the post mining land use?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2?)
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	13. Does the application require or include collection and reporting of any baseline information?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	15. Does application require or include soil removal, storage or placement?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	16. Does the application require or include vegetation monitoring, removal or revegetation activities?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	17. Does the application require or include construction, modification, or removal of surface facilities?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	18. Does the application require or include water monitoring, sediment or drainage control measures?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	19. Does the application require or include certified designs, maps, or calculations?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	20. Does the application require or include subsidence control or monitoring?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	21. Have reclamation costs for bonding been provided for?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	22. Does application involve a perennial stream, a stream buffer zone or discharges to a stream?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	23. Does the application affect permits issued by other agencies or permits issued to other entities?

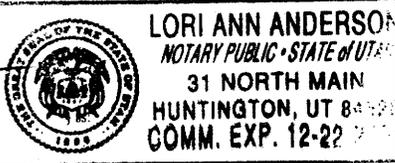
Attach 2 complete copies of the application.

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein. (R645-301-123)

Charles A. Semborski
 Charles A. Semborski - Geology/Permitting Supervisor 4-3-02
 Signed - Name - Position - Date

Subscribed and sworn to before me this 3rd day of April, 2002.

Lori Ann Anderson
 Notary Public
 My Commission Expires: 12/22, 2005
 Attest: STATE OF Utah COUNTY OF Emery



Received by Oil, Gas & Mining

ASSIGNED TRACKING NUMBER

