



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

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OK

May 22, 2002

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

Re: Conditional Approval of Revised Volume 11, PacifiCorp, Deer Creek Mine, C/015/018-AM02C, Outgoing File

Dear Mr. Semborski:

The above-referenced amendment is conditionally approved upon receipt of seven clean copies for incorporation and, the permittee must comply with three permit conditions. These permit conditions are enclosed within the Technical Analysis. Once we receive these copies, we will send a stamped incorporated copy to you for insertion into your copy of the Mining and Reclamation Plan. A copy of our Technical Analysis is enclosed for your information.

If you have any questions, please call me at (801) 538-5325 or Stephen J. Demczak at (435) 613-5242.

Sincerely,

A handwritten signature in black ink that reads "Daron R. Haddock".

Daron R. Haddock
Permit Supervisor

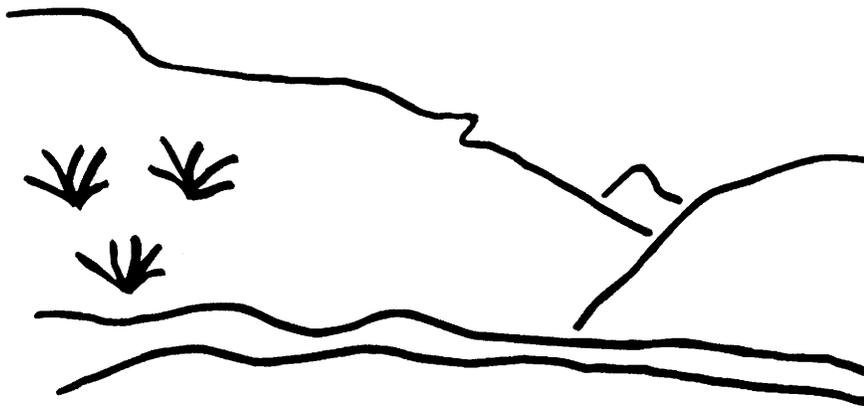
SJD/sd

Enclosure

cc: Price Field Office

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State of Utah



Utah Oil Gas and Mining

Coal Regulatory Program

Deer Creek Mine
Revised Volume 11
C/015/018-02C
Technical Analysis
May 14, 2002

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INTRODUCTION

TECHNICAL ANALYSIS

INTRODUCTION

PacifiCorp, by and through its wholly owned subsidiary, Energy West Mining Company ("Energy West") as mine operator, submitted an amendment regarding the loading of Longwall shields from the Deer Creek Mine at Rilda Canyon. Approximately, 156 shields would be hauled from the Rilda Canyon facility. The removal of longwall shields would save the permittee time and money.

Last year, the permittee hauled approximately the same number of shields into the Deer Creek Mine using the same method. The Division approved this action in amendment C/007/018-01E.

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INTRODUCTION

SUMMARY OF PERMIT CONDITIONS

SUMMARY OF PERMIT CONDITIONS

After reviewing the amendment, the U.S. Forest Service requested the following conditions:

- 1) The termination date for hauling of longwall shields will be prior to the Friday before the opening weekend of the regular Elk hunting season. The permittee cannot load or transport any type of longwall equipment after October 3, 2002.
- 2) The hauling of longwall equipment will only be allowed during daylight hours Monday through Friday. No hauling will be allowed on holidays and holiday weekends, including the prior Friday (entire day) as discussed in Volume 11 Page 43, Stipulation #6. Holidays include all Federal and State holidays, including Pioneer Day.
- 3) This authorization will terminate as indicated, and then revert back to the original agreement to allow 6 trips per day, limited to bulk materials subject to the already listed stipulations in Volume 11, on Page 43.

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SUMMARY OF PERMIT CONDITIONS

OPERATION PLAN

OPERATION PLAN

MINING OPERATIONS AND FACILITIES

Regulatory Reference: 30 CFR 784.2, 784.11; R645-301-231, -301-526, -301-528.

Minimum Regulatory Requirements:

The objectives of this section is to ensure that the Division is provided with comprehensive and reliable information on proposed underground mining activities, and to ensure that those activities are allowed to be conducted only in compliance with the regulatory program.

Provide a general description of the mining operations proposed to be conducted during the life of the mine within the proposed permit area, including, at a minimum, the following: a narrative description of the type and method of coal mining procedures and proposed engineering techniques, anticipated annual and total production of coal, by tonnage, and the major equipment to be used for all aspects of those operations; and, a narrative explaining the construction, modification, use, maintenance, and removal of the following facilities (unless retention of such facility is necessary for postmining land use is specified.) The following facilities must be described: dams, embankments, and other impoundments; overburden and topsoil handling and storage areas and structures; coal removal, handling, storage, cleaning, and transportation areas and structures; spoil, coal processing waste, mine development waste, and noncoal waste removal, handling, storage, transportation, and disposal areas and structures; mine facilities; and, water pollution control facilities.

Analysis:

General

There will be no changes to the facilities. This action is only to load longwall shields and remove them from the area.

Findings:

The information provided meets the minimum requirements of this section.

FISH AND WILDLIFE INFORMATION

Regulatory Reference: 30 CFR 784.21, 817.97; R645-301-322, -301-333, -301-342, -301-358.

Minimum Regulatory Requirements:

Protection and enhancement plan

Each application shall include a description of how, to the extent possible using the best technology currently available, the operator will minimize disturbances and adverse impacts on fish and wildlife and related environmental values, including compliance with the Endangered Species Act, during the surface coal mining and reclamation operations and how enhancement of these resources will be achieved where practicable. This description shall apply, at a minimum, to species and habitats identified. The description shall include: protective measures that will be used during the active mining phase of operation. Such measures may include the establishment of buffer zones, the selective location and special design of haul roads and powerlines, and the monitoring of surface water quality and quantity; and, enhancement measures that will be used during the reclamation and postmining phase of operation to develop aquatic and terrestrial habitat. Such measures may include restoration of streams and other wetlands, retention of ponds and impoundments, establishment of vegetation for wildlife food and cover, and the placement of

OPERATION PLAN

perches and nest boxes. Where the plan does not include enhancement measures, a statement shall be given explaining why enhancement is not practicable.

Each operator shall, to the extent possible using the best technology currently available: ensure that electric powerlines and other transmission facilities used for, or incidental to, underground mining activities on the permit area are designed and constructed to minimize electrocution hazards to raptors, except where the Division determines that such requirements are unnecessary; locate and operate haul and access roads so as to avoid or minimize impacts on important fish and wildlife species or other species protected by State or Federal law; design fences, overland conveyors, and other potential barriers to permit passage for large mammals except where the Division determines that such requirements are unnecessary; and, fence, cover, or use other appropriate methods to exclude wildlife from ponds which contain hazardous concentrations of toxic-forming materials.

Analysis:

Protection and Enhancement Plan

The permittee will not disturb or impact the wildlife in this area. The permittee has scheduled the loading and removing of longwall shields during the period of May 15th to October 15th. The winter range season is from the 1st of December to the 15th of April.

Findings:

The information provided meets the minimum requirements of this section.

ROAD SYSTEMS AND OTHER TRANSPORTATION FACILITIES

Regulatory Reference: 30 CFR 784.24, 817.150, 817.151; R645-301-521, -301-527, -301-534, -301-732.

Minimum Regulatory Requirements:

Road classification system

Each road shall be classified as either a primary road or an ancillary road. A primary road is any road which is: used for transporting coal or spoil; frequently used for access or other purposes for a period in excess of six months; or, to be retained for an approved postmining land use. An ancillary road is any road not classified as a primary road.

Analysis:

Road Classification System

No new road or changes to the existing road is required by this action.

Findings:

The information provided meets the minimum requirements of this section.

HYDROLOGIC INFORMATION

OPERATION PLAN

Regulatory Reference: 30 CFR 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.

Minimum Regulatory Requirements:

General

All underground mining and reclamation activities shall be conducted to minimize disturbance of the hydrologic balance within the permit and adjacent areas, to prevent material damage to the hydrologic balance outside the permit area, and to support approved postmining land uses in accordance with the terms and conditions of the approved permit and the performance standards of this part. The Division may require additional preventative, remedial, or monitoring measures to assure that material damage to the hydrologic balance outside the permit area is prevented. Mining and reclamation practices that minimize water pollution and changes in flow shall be used in preference to water treatment.

Analysis:

General

This action is within the disturbed area and will not affect the hydrology.

Findings:

The information provided meets the minimum requirements of this section.

RECLAMATION PLAN

RECLAMATION PLAN

BONDING AND INSURANCE REQUIREMENTS

Regulatory Reference: 30 CFR 800; R645-301-800, et seq.

Minimum Regulatory Requirements:

Determination of bond amount

The amount of the bond required for each bonded area shall: be determined by the Division; depend upon the requirements of the approved permit and reclamation plan; reflect the probable difficulty of reclamation, giving consideration to such factors as topography, geology, hydrology, and revegetation potential; and, be based on, but not limited to, the estimated cost submitted by the permit applicant.

The amount of the bond shall be sufficient to assure the completion of the reclamation plan if the work has to be performed by the Division in the event of forfeiture, and in no case shall the total bond initially posted for the entire area under 1 permit be less than \$10,000.

An operator's financial responsibility for repairing material damage resulting from subsidence may be satisfied by the liability insurance policy required in this section.

Analysis:

Determination of Bond Amount

No additional bonding is required. There will be no construction of facilities or structures.

Findings:

The information provided meets the minimum requirements of this section.

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RECLAMATION PLAN

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