



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

OUTGOING
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Michael O. Leavitt
Governor
Robert L. Morgan
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 telephone
(801) 359-3940 fax
(801) 538-7223 TTY
www.nr.utah.gov

DIVISION OF OIL, GAS AND MINING
FACSIMILE COVER SHEET

DATE: 24 Sept 2003
FAX #: 1-435-613-5828
ATTN: Steve Demczak
COMPANY: DOG M
DEPARTMENT: PFO
NUMBER OF PAGES: (INCLUDING THIS ONE) 7
FROM: Jim Smith

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We are sending from a Sharp facsimile machine. Our telecopier number is (801)359-3940.

MESSAGE: March 26, 1997 - cover letter for submittal
- see middle of 2nd page re: silt fence
Apr 3, 1997 - DOGM ag fencing removed
(apparently there was an interim approval on April 9, 1997)
May 13, 1997 - cover letter w/ stamped incorporated copy

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March 26, 1997

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

Attention: Mr. Joe Helfrich

**Re: AMENDMENT TO REMOVE SILT FENCING, CHANGE TO ALTERNATE
SEDIMENT CONTROL PLAN, DEER CREEK MINE, WASTE ROCK
DISPOSAL SITE ACCESS ROAD, PACIFICORP, ACT/015/018, 97A,
FOLDER #2, EMERY COUNTY, UTAH.**

PacifiCorp, by and through its wholly-owned subsidiary, Energy West Mining Company ("Energy West") as mine operator, herewith submits an amendment to remove silt fencing and a change to the alternate sediment control plan pertaining to the fill slopes along the access road to the waste rock site.

GENERAL

Silt fencing was constructed at the toe of the fill slopes along the access road to the Deer Creek Waste Rock Disposal Storage Site and at the toe of the berm around the storage site. These areas of silt fencing are designated as alternate sediment control areas, and have been maintained as such, both during construction and thereafter.

Annual monitoring, an ongoing procedure with test results documented in PacifiCorp's Annual report (forwarded to DOGM) and established records of revegetation coverage reflect, for the most part, that revegetation coverage is now adequate to meet the permit requirements.

The interim revegetation plan submitted in the permit states on page 3-7, volume 10, that the criteria for interim revegetation success will be the establishment of a reproducing vegetative cover, on the majority of the slope, which prevents or minimizes erosion. This will be determined by spring and fall site inspections. If erosion damage occurs, it will be repaired and

Huntington Office:
(801) 687-9821
Fax (801) 687-2695
Purchasing Fax (801) 687-9092

Deer Creek Mine:
(801) 381-2317
Fax (801) 381-2285

Cottonwood Mine:
(801) 748-2319
Fax (801) 748-2380

revegetated as needed.

Visual inspection and evaluation of all the silt fencing and slope coverage along the Deer Creek Waste Rock Site Access Road and around the toe of the storage site berm was conducted by PacifiCorp. The findings of the inspection, in conjunction with the available revegetation studies, indicate that much of the silt fencing could be removed without causing any detriment to the surrounding undisturbed area or causing any sediment contributions to stream flows as found along the access road. Upon approval of this amendment, revegetation cover will be the primary means of sediment control along the fill slope of the access road to the Waste Rock Site. A visual comparison of the surrounding undisturbed area in relation to the revegetated slopes, is favorable, in that the slopes have at least as much or better coverage.

Therefore a request by the Permittee to the Division was made to have representatives make a visit and assist in the decision as to whether silt fence removal would be acceptable.

An evaluation review of revegetation cover of the access road slopes and silt fenced areas was made during the summer of 1996 by the Division of Oil, Gas and Mining by the following individuals: Hydrologist, Steve Johnson, and Biologist, Susan White, along with Richard Northrup and Mike Dennis of Energy West. The findings indicated that many areas of silt fence along the access road could be considered for removal. Documentation submitted with this proposal will support compliance to the permit requirements for slope revegetation cover. (See attached reports of cover tests and reference comparisons from Mt. Nebo Scientific Inc.) The consensus of the review from these individuals at that time was, that it could be feasible to remove much of the silt fencing along the access road. Although, certain areas were held in reservation, as coverage by visual inspection appear deficient of revegetation requirements. These areas of concern will retain the silt fence and are depicted on the enclosed drawing CM-10778-DR.

A determination was made to retain all silt fencing at the base of the soil berm around the waste rock area.

A vegetative cover report for 1995 reflecting the fill and cut slope analysis along the access road was performed by Dr. Patrick Collins Ph. D; (seven copies of his findings are attached.) The fill slopes that pertain to this amendment, as indicated in the report, reflect that the mean total cover (vegetation, litter, and rock etc.) is 74.17% on the fill slopes, which is the area where the silt fence is now placed. These figures provide positive evidence that vegetative cover is adequate and satisfy the regulations and permit requirements. (This could be attached to appendices XIII)

Reference to the permit, Volume 10, pg. 2-6, under access road, reference B, indicates the full intent of the permittee to remove the silt fence when the revegetation coverage was adequate and met the criteria as outlined in the permit. A revision will be made to page 2-10 which will include the statement: When revegetation is established, as outlined for interim revegetation, page 3-7 volume 10, of the permit, silt fencing or any other means of sediment control can be removed (with permission from DOGM) and the established vegetation will become the primary means by which erosion is minimized or controlled. Any erosion areas that may occur thereafter

will be addressed as stated in the permit.

Please find seven copies of the revised page 2-10, chapter 2, volume 10 (Highlighted for ease of review) Also, it is necessary to revise page 2-10.0, chapter 2, volume 10, Table I, ASCA locations. Please find attached seven copies of this page for your review.

Drawing CM-10778-DR, Plate 4-5, Phase 1, Volume 10, is part of the permit and is being submitted as a revised drawing, to reflect the locations of silt fence that will remain in place along the access road, and will reflect the areas that depict vegetation as the means of sediment control. Please find seven copies for your ease of review.

The reference area for the Waste Rock Refuse Site was designated as the Gardner Saltbush/Mat Saltbush Reference Area, and is found on Plate 8-1, Drawing CM-10777-DR of the permit. Samples were taken from the same locality at the commencement of the waste rock site construction, around 1987. Apparently no further testing has been accomplished since that time, but Dr. Patrick Collins has prepared findings from the original testing, comparing test results to the fill slope tests, which confirm and substantiate the fact that revegetation on the fill slopes of the access road meet permit criteria . The document analysis by Dr. Collins will be designated as Appendice XIII.

Appendice XIII, reflects revegetation coverage comparison results of the reference area testing to the existing access road fill slopes. This appendice will be incorporated into the Appendice Volume if approval is granted for silt fence removal.

The slope areas will continue to be studied and evaluated for growth and coverage on an annual basis. Periodic inspections by PacifiCorp will be conducted to determine if any erosion occurs or problem areas develop within the permit area. If any erosion areas do develop they will be addressed as stated in the permit.

SILT FENCE REMOVAL IF AMENDMENT IS APPROVED

The process by which the silt fencing will be removed is as follows: the hog ring clips will be removed from the roof bolt posts, the fabric will be cut along the base of the ground line, allowing the fabric which has been silted or covered to remain intact and in place. This method should prevent disturbance of the existing conditions that prevail. The bolts will be removed last.

RECLAMATION COST:

No cost variations would be reflected due to this change.

Please call Richard Northrup at 687-4822 , or Charles A. Semborski at 687-4720, if there are any questions or concerns.

Thank you for your help and assistance in completing this amendment.

Sincerely,

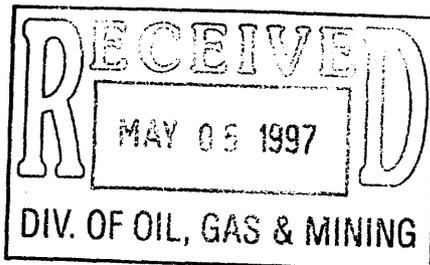
A handwritten signature in cursive script that reads "Richard Northrup".

Richard Northrup
Env. Eng.

cc: Chuck Semborski
Dept. file (Barbara)
Blake Webster
Carl Pollastro

April 30, 1997

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



Attention: Mr. Joseph C. Helfrich
Permit Supervisor

Re: Silt Fencing Removal at Deer Creek Waste Rock Site, PacifiCorp, Deer Creek Mine,
ACT/015/018-97A, File # 2, Emery County, Utah.

PacifiCorp, by and through its wholly-owned subsidiary, Energy West Mining Company ("Energy West") as mine operator, herewith submit the As-Built drawing and the text pages that were shaded when submitted with the original amendment. The permit pages now have the shaded areas removed, the drawing has been revised on mylar and depicts the areas that need to have silt fence remain and the areas that will use vegetation cover as the primary means of erosion control. Only the Waste Rock Site access road has any changes to the ASCA.

Amendment approval was issued April 9, 1997. The following items will need stamped approval dates :

Appendices: Volume 3, Table of Contents (seven copies attached)

Waste Rock Permit Pages 2-10, 2-10.0 (seven copies attached)

Drawing # CM-10778-DR, Plate 4-5, Phase I (seven copies attached)

The silt fence removal stage was completed during April 25-29, 1997.

Thank you again for your assistance and quick response on finalizing this amendment. If there are any questions or concerns please call Chuck Semborski at 687-4720 or Richard Northrup at 687-4822.



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

Michael O. Leavitt
Governor
Ted Stewart
Executive Director
James W. Carter
Division Director

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

May 13, 1997

Chuck Semborski, Environmental Supervisor
PacifiCorp
P.O. Box 310
Huntington, Utah 84528

Re: Silt Fence Removal at Deer Creek Waste Rock Site, PacifiCorp, Deer Creek Mine,
ACT/015/018-97A, File #2, Emery County, Utah

Dear Mr. Semborski:

Additional information received by the division on May 5, regarding the referenced amendment is hereby approved effective May 13, 1997. A stamped incorporated copy is enclosed for insertion into your Mining and Reclamation Plan.

If you have any questions please call me at 538-5290.

Sincerely,

Joseph C. Helfrich
Permit Supervisor

tt

cc: Ranvir Singh, OSM
Richard Manus, BLM, Price
Janette Kaiser, Forest Service
Mark Page, Water Rights
Dave Ariotti, Health
Bill Bates, DWR
Bill Malencik, PFO
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