



United States Department of the Interior

OFFICE OF SURFACE MINING
 Reclamation and Enforcement
 P.O. Box 46667
 Denver, Colorado 80201-6667

IN REPLY REFER TO:

January 28, 2004

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

Alice Carlton, Forest Supervisor
 Manti-La Sal National Forest
 599 West Price River Road
 Price, Utah 84501

Kent Hoffman, Deputy State Director
 Bureau of Land Management, State Office
 324 South State Street
 P.O. Box 45155
 Salt Lake City, Utah 84145-0155

Manning
d/015/0018
Copy Mary Ann

RE: PacifiCorp "Deer Creek" Mine – Application for Permit Revision, North Rilda Facilities Area

Ladies and Gentleman:

On November 24, 2003, following informal consultation with your agencies, and based on a summary description of the proposed project, this office provided a letter to the Utah Division of Oil, Gas, and Mining stating that the proposal meets the requirements of 30 CFR 746.18 (d). Therefore the proposed North Rilda Facilities Area does constitute a mining plan action requiring Secretarial approval.

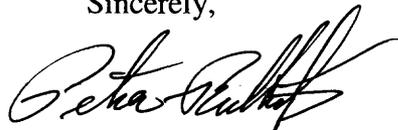
Subsequent to that letter, on December 18, 2003, this office received the three inch thick Volume 11 Permit Revision Application for the North Rilda Canyon Portal Facilities. Careful review of the proposal detail revealed that the proponent, PacifiCorp, proposes to construct a man and materials facility and a fan facility on the north side of Rilda Canyon. Coal handling facilities are not proposed. The foot print of the facilities would occupy about 10.2 acres, of which about 4.9 acres have been previously disturbed and reclaimed. About 1200 feet of Rilda Creek would be diverted through a culvert. The proposal also includes the driving of a 2100 foot long rock slope to intersect the Hiawatha seam.

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In view of this additional review, we believe that consultation with the three agencies should be reopened on a more formal basis as to whether the North Rilda Canyon Facilities permit revision meets the requirements of 30 CFR 746.18(d) and therefore constitutes a mining plan modification.

In the interest of a prompt decision by OSM, I would appreciate your written response by February 11, 2004. Please address your response to Peter Rutledge, Chief Program Support Division, Western Regional Coordinating Center, Office of Surface Mining, P.O. Box 46667, Denver, Colorado 80201-6667.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter Rutledge", written in a cursive style.

Peter Rutledge
Chief
Program Support Division