



JUN 16 2004
DIVISION OF OIL, GAS AND MINING

June 16, 2004

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

Meaning
6/15/004

Subject: **Deficiency Response to the Technical Analysis for Task ID #1914, PacifiCorp, Deer Creek Mine, C015/018, Emery County, Utah**

PacifiCorp, by and through its wholly-owned subsidiary, Energy West Mining Company ("Energy West") as mine operator, hereby submits the deficiency response to the technical analysis dated May 14, 2004. Originally, Energy West submitted an amendment application to revise text in Volume 10 and Volume 2 on August 28, 2003. The permit change was needed to reflect the improved surface of the waste rock site access road for the Deer Creek Mine.

A technical analysis document on this application was received on October 6, 2003. This document found the amendment application contained deficiencies to the Utah R645 Coal Regulations. Energy West requested an extension to respond to these deficiencies on October 31, 2003. The Division granted the request until November 17, 2003. The deficiency response document was submitted on November 11, 2003. The Division reviewed the deficiency document and found that it still contained deficiencies. The Division sent the technical analysis to Energy West on December 22, 2003. Energy West responded to the deficiency document on January 20, 2004 but requested that the documents be sent back. Please refer to Task ID #1770.

Energy West resubmitted the amendment on April 23, 2004 with amended pages to Volume 10 and Volume 2 that comply with the Utah Coal Regulations for improving the Deer Creek Waste Rock Site access road. This road was reclassified from an ancillary road to a primary road within the Deer Creek permit boundary.

Attached with this letter is the amended page in Volume 10 to answer the deficiency received on May 20, 2004. Four (4) copies are attached as required along with the required C1/C2 forms for the correct placement of the amended text into the MRP.

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,
Charles A. Semborski
Charles A. Semborski
Permitting/Geology Supervisor

Enclosure: Page 2-18, Volume 10
C1/C2 Forms

Cc: Doug Johnson (EWMC, w/o encl.)
File

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

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.

Operation Plan

Hydrologic Information

R645-301-742, 121.200, To provide consistency and lessen the possibility of confusion, the permittee needs to show in Table I that sediment control for the 0.11 acre portion of the Waste Rock Site Access Road and for the Waste Rock Site Berm Outslope is (or at least includes) silt fence.

Table I on page 2-18 in Volume 10, Chapter 2, has been amended to include silt fence as part of the ASCA in the above mentioned areas.

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change New Permit Renewal Exploration Bond Release Transfer

Permittee: PacifiCorp

Mine: Deer Creek Mine

Permit Number: C/015/018

Title: Deficiency Response to the Technical Analysis for Task ID #1914, PacifiCorp, Deer Creek Mine, C015/018, Emery County, Utah

Description, Include reason for application and timing required to implement:
Improved road surface at waste rock site.

Instructions: If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

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

Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you. (These numbers include a copy for the Price Field Office)

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.

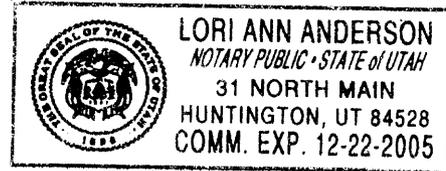
Charles A. Semborski
Print Name

Charles D. Smith Geology/Permitting Supervisor 6/16/04
Sign Name, Position, Date

Subscribed and sworn to before me this 16 day of June, 2004

Lori Ann Anderson
Notary Public

My commission Expires: 12/22, 2005
Attest: State of Utah } ss:
County of Emery



For Office Use Only:	Assigned Tracking Number:	Received by Oil, Gas & Mining
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Form DOGM- C1 (Revised March 12, 2002)

On the day in which blasting occurs, a portable sign which says "Warning: Explosives in Use" will be displayed near the entrance sign. The immediate vicinity of blasting will be marked with red flagging or red cones.

Upon cessation of operations or bond release, signs and markers will be removed as appropriate.

H. R645-301-751 817.42 (3)-ALTERNATIVE SEDIMENT CONTROL AREAS

Disturbed areas which cannot be reasonably treated by a siltation structure (i.e., sediment pond) due to remote geographic locations and small areas not justifying a sediment pond but which cannot meet effluent limitations without treatment, are considered Alternative Sediment Control Areas (ASCA). These areas are treated by the best control technology available which includes, but is not limited to: silt fences, berms, catch basins, strawbales, gravel filter dikes, check dams, sediment traps and mulches.

A list of the ASCA's within the permit area is found below in Table I (Page 2-10.0).

Table I: Alternate Sediment Control Area at Deer Creek Waste Rock Site			
Site Location	Sediment Control	Acreage	Drawings
Waste Rock Site Access Road	silt fence/vegetation	0.11	WRS Packet 4-5 CM-10778-DR
Waste Rock site berm outslope berm	silt fence/vegetation	1.72	WRS Packet 4-5 CM-10778-DR
Revegetation Area	vegetation	0.58	WRS Packet 4-5 CM-10778-DR
	Total	2.41	

I. R645-301-742.220 SEDIMENT PONDS UMC 817.46R AND 817.46T

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