



GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

May 19, 2015

Kenneth S. Fleck, Manager Geology and Environmental Affairs
Energy West Mining Company
P.O. Box 310
Huntington, Utah 84528

Subject: Mine Closure Plans for Deer Creek Mine, C/015/0018 (Task ID #4873)

Dear Mr. Fleck:

Thank you for providing us with a copy of your proposed bulkhead design, *Mill Fork Access #2 Mains, Rilda Canyon Portals 1st Right Submains, Proposed Bulkheads – Installation and Monitoring Plan*. Our assigned engineer and hydrologist have had a chance to review the proposed plan and we appreciate your continued communication with our staff during the development of your final mine closure plan.

The Division recognizes that the process of producing a final closure plan for the Deer Creek Mine is a fluid and dynamic one at this point. We also understand that timing is of critical concern in your efforts to close the mine workings and begin reclamation of the surface facility.

In light of these concerns, the Division will endeavor to expedite the review and approval of the finalized mine closure plan once it has been approved by M.S.H.A. As required by the State of Utah R645 Coal Mining Rules, the Division must review the proposed mine closure and the potential issues associated with it.

In a letter to you from John Baza, Division Director (dated March 9, 2015), the major regulatory provisions that must be addressed and revised within the Deer Creek Mining and Reclamation Plan (MRP) were briefly discussed (See attached). In order for the Division to meet its regulatory responsibility under the State of Utah Coal Program, the final mine closure plan must be reviewed/approved prior to initiating construction.



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Kenneth S. Fleck
May 19, 2015

Again, we understand the considerable time constraints associated with the mine closure and we will work diligently with you and your staff during this time. If you have any questions, please feel free to call me (801) 538-5320 or Daron Haddock (801) 538-5325.

Sincerely,



Dana Dean
Associate Director

DD/SKC/ss

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Division Director

March 9, 2015

Kenneth S. Fleck, Manager Geology and Environmental Affairs
Energy West Mining Company
P.O. Box 310
Huntington, Utah 84528

Subject: Mine Closure Plans for Deer Creek Mine, C/015/0018

Dear Mr. Fleck:

The Utah Division of Oil, Gas, and Mining is informed that Energy West Mining Company has submitted proposals to MSHA to modify the Deer Creek mine closure plan as contained in the approved MRP. The proposal to construct additional bulkheads within the mine is a change to the current mine closure plan. Changes from the current MRP must be approved by the Division prior to commencement of any work. Accordingly, all of the permitting requirements in Utah Administrative Code R645-301 that are potentially affected by the addition of the bulkheads and other changes associated with modifications to the mine closure plan will need to be addressed in an application for permit change submitted as required, and approved by the Division before work can proceed.

Due to the potential for post-mining gravity discharge from the mine, and the possible consequences of efforts to preclude such discharge, the revised MRP must include a revised Probable Hydrologic Consequence (PHC) determination and findings (R645-301-728). In addition, the application must also address the requirements related to Final Abandonment of Mining Openings (R645-301-542.700), Casing and Sealing of Underground Openings (R645-301-551), Hydrologic Balance Protection (R645-301-731), Gravity Discharges from Underground Coal Mining and Reclamation Activities (R645-301-731.520) and all other provisions of the hydrology rules, and other parts of the approved permit that this change may affect.

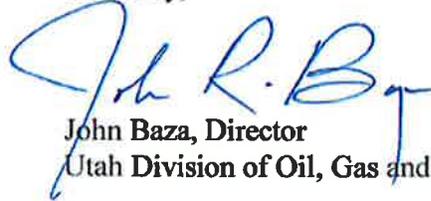
If you have any questions regarding the requirements of this notice, please contact me at (801) 538-5334, or Daron Haddock, at (801)538-5325.



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Kenneth S. Fleck
March 9, 2015

Thank you for your cooperation in helping us address this permitting action.

Sincerely,



John Baza, Director
Utah Division of Oil, Gas and Mining

JRB/DRH/ss

cc: Charles Semborski, PacifiCorp
Steve Christensen, Coal
Daron Haddock, Coal
Dana Dean, AD Mining
Steve Alder, AAG

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