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7/30/80 File Copy UP&L Cottonwood

UTAH POWER & LIGHT COMPANY

P. O. BOX 899
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July 17, 1980

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#7

Mr. Donald Crane
Regional Director
Office of Surface Mining
Brooks Tower
1020 - 15th Street
Denver, CO 80202

Re: Proposed Cottonwood Portal Violation
(Notice of Violation 80-5-3-11)

Dear Mr. Crane:

On Friday, July 11, 1980, Mr. Reese, Mr. Dewey and myself met with representatives of your office, the Department of Interior and the Solicitor's office to discuss the above matter. At that time, we advised your representatives that Utah Power did not intend to abandon the project and in fact, as pointed out in our letter requesting withdrawal, has plans to construct a ventilation portal and fan in the near future, and at a later time possibly a bathhouse, at the Cottonwood portal site. This being so even though we had cancelled our plans to add an additional portal for the removal and processing of coal. It was explained by Mr. Damrau and other members of your staff that the above violation was issued because of the withdrawal of our application.

We all agreed that rather than withdraw its application submitted in September, 1979, Utah Power would request that the application be modified to allow the construction of the intended facilities. We explained that plans for these facilities are not yet available, except in a conceptual stage. Thus, it was agreed that we would write this letter to request that our original application be filed subject to modification based upon detailed plans which will be forwarded to you within ninety days.

O.S.M. agreed that following receipt of this letter, the notice of violation will be held in abeyance for the ninety-day period and then vacated upon receipt of acceptable

modified plans. Our modified application will then be processed in the usual manner.

Utah Power agreed at the meeting that it will proceed immediately upon your concurrence with the above to restore the disturbed area in the manner which we verbally outlined; that is, remove large rocks and loose materials from face of slope; clear debris from culvert at base of slope to permit proper drainage; seed and water slope surface as necessary to assure revegetation; cut cross trench, if needed, to eliminate erosion, and test to be sure of soil stability.

Accordingly, we herein initiate the action discussed at that meeting. It is our intention to proceed immediately to prepare a complete modified application which will be forwarded to you within the ninety-day period.

We appreciate the opportunity to meet with your people for the purpose of arriving at a reasonable solution to a difficult problem. I hope that in the future we can communicate openly to seek solutions to any problems which might arise. I assure you that in the future we will do our best in this regard.

Please let me know as soon as possible whether or not the foregoing meets with your understanding so that we can proceed as outlined.

Thank you for your cooperation.

Very truly yours,

Ralph L. Jerman

RLJ:p