

Document Information Form

Mine Number: CL015/019

File Name: Internal

To: DOGM

From:

Person N/A

Company N/A

Date Sent: MARCH 4, 1980

Explanation:

INSPECTION memo TO COAL FILE.

cc:

File in: CL 015 , 019 , Internal

Refer to:

- Confidential
- Shelf
- Expandable

Date _____ For additional information

March 4, 1980

#4 ✓ #6 ✓ #7

Inspection Memo
to Coal File:

RE: Utah Power and Light
Cottonwood Canyon Portal
ACT/015/027

An inspection, initiated by a citizen's complaint, of the proposed Cottonwood Canyon Portal site for the Wilberg Mine of Utah Power and Light was held on February 22, 1980. The citizen's complaint was filed with the Office of Surface Mining through the Public Lands Institute by Mr. Ted Crawford and Ms. Carolyn Johnson. The Office of Surface Mining was represented by Larry Damrau; the Public Lands Institute was represented by Mr. Crawford and Ms. Johnson; and, the Division was represented by Joe Helfrich, Doug Stewart and Mike Thompson. Utah Power and Light was not represented.

The work performed at the site was in concert with an approved exploration plan filed October 3, 1979. The Division approved the exploration plan on October 18, 1979 after submitting a copy of the plan to the Office of Surface Mining. Rule M-3(5) of the Utah Mined Land Reclamation Act requires the Division to respond to an exploration plan within 15 days. It should be noted that neither the State nor the Federal interim enforcement program regulations, MC 700 and 30 CFR 700, et. seq., cover exploration activities. The land surface and coal resources directly involved in the activities in Cottonwood Canyon are fee owned.

The Division handled the approval of the activities as exploration on the grounds that the work performed did not involve the extraction of coal. The purpose of the work was to expose bedrock in the proposed portal area and subsequently perform geotechnical measurements to develop final engineering plans for submittal. In neither conversations with John Hardaway of the Technical Analysis and Research Section of the Office of Surface Mining on site in August of 1979, nor in the comments received from the same section, dated November 9, 1979, did the Federal agency indicate that it was improper to consider the activities as exploration.

During the inspection the group walked the section of road adjacent to the extent of Utah Power and Light's activities. The group also climbed to the top of the excavated area. All disturbed areas except for vertical bedrock faces exposed by Utah Power and Light were covered with snow. In places snow was over knee deep.

File in:

- Confidential
- Shelf
- Expandable

Refer to Record No. 0020 Date: _____

In C/ 015, 019, Internal

For additional information

Inspection Memo
ACT/015/027
Page Two

The concept of defining the activities as exploration or mining was discussed at length. Larry Damrau was of the opinion that the activities are mining on the grounds of the extent of disturbance, earth was excavated and the activities are located at the proposed portal site. The Division assumes that the problem has been thoroughly discussed by the Office of Surface Mining as this was the third inspection of the property. Violations were written but not served as Utah Power and Light representatives were not available.

The property was inspected again by Murray Smith and Larry Damrau of the Office of Surface Mining and Mike Thompson of the Division on February 27, 1980. Utah Power and Light was contacted the previous day in the Salt Lake City office and invited to attend. They declined to do so. Upon returning to Salt Lake City on the afternoon of February 27, 1980, violations were issued. The violations hinge on defining the activities as mining. Consult the N.O.V.'s for specifics.

K. MICHAEL THOMPSON
ENGINEERING GEOLOGIST

KMP

KMT/te

cc: Murray Smith, O.S.M.
Carolyn Johnson, P.L.I.