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STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS, AND MINING
1588 West North Temple
Salt Lake City, Utah 84116
(801) 533-5771

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June 26, 1980

#3 + #7

Ralph Jerman, ESQ
Utah Power & Light Co.
P.O. Box 899
Salt Lake City, Utah 84110

RE: Utah Power & Light
Cottonwood Portal
Violation Abatement No.4
ACT/015/027

Dear Mr. Jerman,

We have received your letter of May 12, 1980 with information attached to comply with abatement requirements of the violations issued to Utah Power and Light Company by OSM, Notice of Violation 80-5-3-3 Violation No.4 and No.6.

The remedial actions stated on Violation No.4 require the following:

"Submit proposed plans for the depostion of excess rock and earth materials to the State Regulatory Authority. Proposed plans must be complete and adequate or must be supplemented as determined by the State Regulatory Authority".

Violation No.4 states that your operation is in violation by "placing material on the downslope below a (future) portal site and at the excess rock and earth material deposition area". Parts 30 CFR 717.14(e) and 30 CFR 211.40 (b) are the provisions violated.

A representative of Utah Power and Light Company (U.P.&L.) indicated to the Board of Oil, Gas, and Mining on June 19, 1980 that U.P.&L. intended to use the Cottonwood Portal site for intake air, escapeways, and access for men and materials.

30 CFR 717.15 states:

". . . where the volume of such material is small and its chemical and physical characteristics do not pose a threat to either public safety or the environment the regulatory authority may modify the requirements of Section 715.15 in accordance with Section 714.14(a)(1).

30 CFR 714.14(a)(1) states:

"Retain all earth, rock and other mineral nonwaste materials on the solid portion of exisitng or new benches, except that the regulatory authority may permit placement of such material at the site of the faceup as a means of desposing of excavated spoil when additional working space is needed to facilitate operations. Such placement of material shall be limited to minimize disturbance of land and to the hydrologic balance. Such fills shall be stabilized with vegetation and shall achieve a minimum static safety factor of 1.5. In no case shall the outslope exceed the angle of repose".

The information that U.P.&L. supplied concerning the existng fills complies with the requirements of achieving a minimum static safety factor of 1.5. The recommendations from the consultant certifying the fills, should be adopted by U.P.&L. in the plan as stipulations.

Your consultants need to address two items (concerning the fills) that were observed on June 5, 1980.

(1) There is evidence of a slope failure on waste pile No.1, across the road from the Trail Mountain Mine's sediment pond.

(2) When the drainage ditch was constructed along the road at the base of the fills, it undercut the toe of the fill. It is not known if this ditch was in place when the consultants inspected the fills.

Any information concerning the actual placement of the material, compaction, etc., with regard to the items contained in 30 CFR 715.15 - "Disposal of spoil waste materials in areas other than the mine workings or excavations" - would be helpful.

The water monitoring plan submitted is adequate and complete as submitted for abatement of Violation No.6. Please provide the Division with information herein, as soon as possible to comply with the abatement provisions of this violation.

Yours sincerely,

Lee.

LEE SPENCER
RECLAMATION ENGINEER

LS/lml
cc: Murray Smith, OSM Denver