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State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor
Ted Stewart
Executive Director
James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

December 20, 1994

Val Payne
PacifiCorp
P. O. Box 1005
Huntington, Utah 84528

Re: Permit Deficiency, PacifiCorp, Cottonwood/Wilberg Mine, ACT/015/019-DO94A,
Folder #3, Emery County, Utah

Val

Dear Mr. Payne:

A review of the Cottonwood/Wilberg Mining and Reclamation Plan was conducted in conjunction with the recent permit renewal. As a result of the review the Manti-La Sal National Forest identified a few items that are inaccurate and which need to be corrected. The Division is issuing the enclosed Division Order which requires you to correct the deficiencies. Please note that you are required to respond within 30 days.

Please call if you have any questions.

Very truly yours,

James W. Carter
James W. Carter
Director

Enclosures

cc: D. Haddock
P. Grubaugh-Littig
J. Helfrich

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STATE OF UTAH
DIVISION OF OIL, GAS AND MINING

PACIFICORP

Val Payne
Sr. Environmental Engineer
P. O. Box 1005
Huntington, Utah 84528

ORDER & FINDINGS
of
PERMIT DEFICIENCY

PERMIT NUMBER ACT/015/019
DIVISION ORDER # 94A

PURSUANT to R645-303-212, the DIVISION ORDERS the PERMITTEE, PacifiCorp (permittee), to make the permit changes enumerated in the findings of permit deficiency in order to be in compliance with the State Coal Program. These findings of permit deficiency are to be remedied in accordance with R645-303-220.

FINDINGS OF PERMIT DEFICIENCY

The Division finds the permit deficient in that the Mining and Reclamation Plan that it is based on contains some outdated and inaccurate information.

Regulations Cited R645-301-111.200, R645-301-121

Requirements

In order to comply with these regulations, the permittee must correct the items identified in the December 13, 1994 letter from the Forest Service to the Division. (see attached letter)

ORDER

PacifiCorp (Permittee) is ordered to make the requisite permit changes in accordance with R645-303-220 and to submit a complete application for permit change to address the findings of permit deficiency within 30 days of date of the Order. Approval by the Division must be obtained within 60 days of date of this Order. All approvals not obtained within 60 days may result in a hindrance violation.

Ordered this 20th day of December, 1994, by the Division of Oil, Gas, and Mining.

James W. Carter for

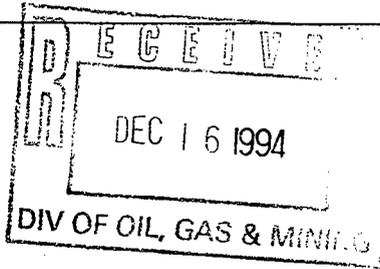
James W. Carter, Director
Division of Oil, Gas and Mining

United States
Department of
Agriculture

Forest
Service

Manti-La Sal
National Forest

599 West Price River Dr.
Price, Utah 84501
(801) 637-2817



File Code: 2820-4

Date: December 13, 1994

Utah Division of Oil, Gas and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
ATTN: Pam Grubaugh-Littig

Copy Pam & Daron
ACT/012/019 #2

Dear Pam,

We have reviewed the Cottonwood Mining and Reclamation Plan for the 5-year permit renewal. The following items need to be corrected:

Volume 1, Part 2.

Remove the cultural resources report. Replace it with a description of the area surveyed and a statement saying the information is on file with the surface management agency and is exempt from Freedom of Information Act requests.

Volume 2, page 2-163.

The list of species of special significance should be updated. It is based on information from 1979 and 1980.

Volume 2, page 4-3.

Used Asphalt products are classified as hazardous waste and can not be buried on the forest. According to Carl Wadsworth, Utah Division of Environmental Quality, the options are to either recycle the asphalt or take it to a permitted solid waste landfill.

Volume 2, page 4-40.

This section should have a description of the areas covered by the cultural resource surveys, but should give no site-specific data. The text should say that the surface management agency has a copy of the report, but that they are exempt from the Freedom of Information Act.

Volume 2, page 4-47, last paragraph.

PacifiCorp now owns the land near Burnt Tree Spring, and the wooden cabin has been removed.

Volume 2, page 4-48, first paragraph.

The cabin has been removed.

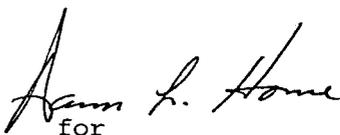
Volume 2, Fish and wildlife report after page 4-55.

This report is for the Deer Creek Mine. It should be redone to address the Cottonwood Mine. Specific problems are the lack of information on Grimes Wash and Cottonwood Creek, and the statement that there are no golden eagle nest sites in the mine area.

We consent to the permit renewal, with the stipulation that these corrections be made by March 1, 1995.

If you have any questions, please contact Dale Harber at the address listed above.

Sincerely,

A handwritten signature in cursive script, appearing to read "Deane H. Zeller".

for

DEANE H. ZELLER

Acting Forest Supervisor