

0015



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

Michael O. Leavitt
Governor
Ted Stewart
Executive Director
Lowell P. Braxton
Division Director

1594 West North Temple, Suite 1210
PO Box 145801
Salt Lake City, Utah 84114-5801
801-538-5340
801-359-3940 (Fax)
801-538-7223 (TDD)

bcc: Pam, w/o
Daron, w/o
Joe, w/o
Bill M, w/o

March 26, 1998

Chuck Semborski, Environmental Supervisor
Energy West Mining Company
P.O. Box 310
Huntington, Utah 84528

Re: Phase III Bond Release Granted for Channel Canyon Portal Breakouts, PacifiCorp,
Cottonwood/Wilberg, ACT/015/019-BR97G, Folder #3, Emery County, Utah

Chuck
Dear Mr. Semborski:

The Division approved Phase III bond release for the Channel Canyon breakouts (about 0.01 acres). There is no reduction of the bond amount, but rather termination of jurisdiction under the Utah rules (R645-100-451.200).

Attached is the Division finding and OSM concurrence for this permitting action. If you have any questions, please call Pamela Grubaugh-Littig or Mary Ann Wright.

Sincerely,

A handwritten signature in cursive script that reads "Lowell".

Lowell P. Braxton
Acting Director



IN REPLY REFER TO:

United States Department of the Interior

OFFICE OF SURFACE MINING
Reclamation and Enforcement
1999 Broadway, Suite 3320
Denver, Colorado 80202-5733

March 24, 1998

Pamela Grubaugh-Littig,
Permit Supervisor
Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, Utah 84114-5801

Dear Ms. Grubaugh-Littig:

This is a response to your February 23, 1998, letter request for concurrence on the proposed phase III bond release for the PacifiCorp Cottonwood/Wilberg Mine, Channel Canyon portal breakouts.

In the breakout areas, the permittee mined coal under Federal lease U-47978 and disturbed Federal land surface under the management of the Bureau of Land Management (BLM). BLM participated in the September 23, 1997, bond release inspection and by letter dated October 1, 1997, concurred with the reclamation at the site. The Office of Surface Mining (OSM) did not attend the bond release inspection but has reviewed the bond release application and accompanying photographs of the reclamation work.

As discussed and shown in the bond release application, the permittee sealed and painted black two ventilation portal breakouts in a coal outcrop that occurs on a vertical cliff face. In its bond release decision document, the Utah Division of Oil, Gas and Mining (Division) estimated that only 0.01 acres in this area were disturbed and that all were reclaimed in the portal sealing and painting. Owing to the seals being located on a vertical cliff face, they will not be backfilled, topsoiled, and revegetated. Therefore, the revegetation requirement of the Utah rules at R645-301-357 for a minimum 10-year bond liability period does not apply.

Because of the very small areas involved, the Office of Surface Mining Reclamation and Enforcement (OSM) understands that the Division does not propose to release any bond but rather to terminate jurisdiction under the Utah rules at R645-100-451.200 for the reclamation performed in these areas. Therefore, no reduction will occur in the following bond for the mine:

*Copy From
Act 10/15/019 # 2*

St. Paul Fire and Marine Insurance Company
385 Washington Street
St. Paul, Minnesota 55102

Surety bond policy No. 400JN6138,
issued to PacifiCorp (201 South Main, Suite 2000
Salt Lake City, Utah 84140),
for the Cottonwood/Wilberg Mine,
permit No. ACT/015/019,
in the amount of \$2,071,098.

On the basis of BLM's concurrence and OSM's review of the bond release application and accompanying photographs of the reclamation work, OSM, in accordance with the Federal lands provisions of the Federal regulations at 30 CFR 740.15(d)(3) and article IX, section B of the Federal - State Federal lands cooperative agreement, concurs with the proposed termination of jurisdiction.

If you have any questions on this letter, please call Dennis Winterringer, Senior Environmental Protection Specialist, at (303) 844-1440.

Sincerely,

James F. Fulton

James F. Fulton, Chief
Denver Field Division

Peter A. Rutledge

Peter A. Rutledge,
Western Regional Coordinating
Center Bond Approving Officer



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

1594 West North Temple, Suite 1210
Box 145801
Salt Lake City, Utah 84114-5801
801-538-5340
801-359-3940 (Fax)
801-538-7223 (TDD)

February 23, 1998

Dennis Winterringer
Denver Field Division
Office of Surface Mining
Reclamation and Enforcement
1999 Broadway, Suite 3320
Denver, CO 80202-5733

Re: Channel Canyon Breakout - Phase III Bond Release, Cottonwood/Wilberg Mine,
PacifiCorp, ACT/015/019, Folder #3, Emery County, Utah

Dear Mr. Winterringer:

Enclosed please find the decision document for the Phase III bond release for the Channel Canyon Breakout at the Cottonwood/Wilberg Mine. Please review this document and notify the Division of your concurrence or comments. If you have any questions, please call me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Pamela Grubaugh-Littig".

Pamela Grubaugh-Littig
Permit Supervisor

Enclosure

cc: Chuck Semborski, Energy West
Price Field Office

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DECISION DOCUMENT
CHANNEL CANYON BREAKOUT
PHASE III BOND RELEASE
COTTONWOOD/WILBERG MINE
ACT/015/019-97G

Background

The Channel Canyon ventilation breakouts consisted of two separate portals which occur on a steep escarpment located in an un-named canyon on the western side of East Mountain. According to the reclamation plan in the Cottonwood/Wilberg plan, two sets of seals were to be constructed at the Channel Canyon Portal. The first set were constructed in December 1990 (approximately 25 feet from the outcrop.) The seals were inspected and approved on May 13, 1997. An additional set of seals were constructed at the outcrop to conform with the near vertical slope. Energy West completed final reclamation of these portal sites as specified in the approved plan on August 1, 1997.

Reclamation activities included constructing a set of seals that conform to the coal outcrop and to blend in with the surrounding environment. Reclamation work included building additional seals at the outcrop, brushing blacktar over the front of the seal to blend in with the natural environment, removing walkway and escape structures, and removing any refuse leftover from the reclamation processes. All materials were flown in and out by helicopter due to the remoteness of the portals. Existing structures were also dismantled and removed from the area.

The portals are located in the coal outcrop on a vertical cliff face. No topsoil was available to be stored during development or reapplied during final reclamation. Without topsoil, seeding of the portal area is unwarranted. No discharges are generated from and no drainage occurs through the portal sites.

These breakouts are located within federal coal lease U-47978 in the SW1/4SW1/4NW1/4 of Section 32, Township 17 South, Range 7 East. Total disturbance associated with the ventilation breakouts is approximately 0.01 acres.

Publication of this permitting action for Phase III bond release for the Channel canyon Breakouts was published in the Emery County Progress on December 9, 16, 23, and 30, 1997. No comments were received. Letters were sent to landowners, no comments were received.

Summary and Findings

The referenced amendment was received in the Price Field Office on September 15, 1997, six copies submitted to Salt Lake Office together with a memorandum on September 16, 1997. A field investigation was conducted on September 23, 1997. Mike Kaminski represented BLM, the land management agency.

Because of the topography, the portals being located on a steep rock escarpment, the final seals constructed next to the escarpment, in addition to other reasons, the area in question cannot be backfilled and topsoiled, and therefore, seeding of the area disturbed by the portal breakouts is unwarranted.

The soils and biology evaluation and findings that Phase I and Phase II bond release are not applicable because the affected area occurs on a solid sandstone escarpment are valid. Further, it is not warranted to topsoil or seed the areas associated with the breakouts and sealing of the portals. Therefore, Phase I and Phase II requirements on soils and biology have been met.

Further, since the area is not backfilled and topsoiled, the disturbed solid rock escarpment area is not subject to erosion. Therefore, no erosion maintenance required.

As related to Phase III, the area is presumed to receive under 25 inches of precipitation a year, the liability period is 10 years¹. However, the 10-year period relates solely to an evaluation period on the effectiveness of the Phase I and Phase II work and maintenance associated therewith. Further, since maintenance is not an issue, the Phase III bond release time frame should be waived.

The soils and revegetation reclamation for final revegetation of all lands disturbed by coal mining and reclamation operations is included in the approved MRP and does not require traditional reclamation on the portal areas in question. (See permittee's amendment application pages 3.6, 3.7, 4.1 and 4.1.1.)

Soils, R645-301-200.

Analysis. Associated with the portal breakouts:

- (1) The two breakouts are each 20 feet wide and 8 feet high. The rock ledge, void of topsoil, is about 45 feet long and with width averages of 4 feet.
- (2) No soils were available, harvested, or stockpiled. The breakout took place on a steep solid rock escarpment.
- (3) The topography is such that topsoil, even if readily available, could not be placed or held on such a steep and solid rock escarpment.

¹ R645-301-357.220. "In areas of more than 26.0 inches average annual precipitation, the period of responsibility will continue for a period of not less than five full years."

Findings. Topsoil placement is unwarranted on this reclamation project.

Biology, R645-301-300.

Analysis. Since soil cannot be placed and held on the escarpment and whereas the escarpment consists of bare rock, seeding is not warranted.

Findings. This area need not be seeded.

Protection of Fish and Wildlife and Related Environmental Values

Analysis. The reclamation and portal sealing will not have any significant impact on wildlife and environmental values. Bats may have utilized the unsealed portal; however, bat populations are only speculative because of the general area being void of surface water.

Findings. The project will not have any significant impact on fish, wildlife, and related values. The operator tarred the front of the seals to better blend with the natural exposed coal seam.

Safety

Analysis. The portals lie on an inaccessible escarpment at the base of a rock strewn canyon, accessible by foot near the Trail Canyon Mine, adjacent to and about one mile east of Emery County Road 506.

Findings. Since the access ladder has been removed, the sealed portals are difficult to access; therefore, pose no human safety hazard.

Land Use, R645-301-400.

Analysis. The post-mining land use is wildlife.

Findings. The post-mining land use is wildlife. Elk droppings were observed. The general area appears to be a winter habitat area for deer and elk. It also provides habitat for birds and small mammals.

Engineering, R645-301-500.

Non-coal Waste

Analysis. No non-coal waste was observed on the solid rock ledge adjacent to the sealed portals, nor on the natural outslope below the portals.

Findings. The permittee has met this requirement.

Coal Waste

Analysis. An insignificant amount of coal fines were observed on the rock ledge adjacent to the portal; however, no lump coal or development waste was observed. The natural outslope below the portal was devoid of coal fines, lump coal, or development waste.

Findings. The permittee has met this requirement.

Portal Seals

Analysis. Double seals have been installed by the permittee. MSHA has approved the portal seals (see letter from MSHA dated July 10, 1997. The outside seal was constructed as required. Backfilling material even if imported would not be held in place.

Findings. The permittee has met these requirements.

Geology/Subsidence, R645-301-600.

Analysis. Only entry mining development has taken place in the Channel Canyon breakout area.

Findings. No subsidence expected in the Channel Canyon breakout area. This is based on Annual Subsidence Surveys (reviewed 1996 report).

Hydrology, R645-301-700.

Analysis. The Hiawatha seam, in which the Channel Canyon breakouts are located, dips away from the breakouts at approximately 3°. Thus, drains have not been installed in the breakout seals. Therefore, no expected buildup of underground water contiguous to the sealed partials will take place.

The area when operation did not require sediment control.

Findings. Drains are unnecessary in the Channel Canyon breakout seals because underground will flow downgrade for the portal seals.

The reclaimed area does not require sediment control since no signs of surface runoff was observed and the area has an excellent stand of native vegetation.

Conclusion and Recommendation

Based on the Division findings, it is recommended that this Phase III bond release for the Channel Canyon breakouts be approved.

U. S. Department of Labor

Mine Safety and Health Administration
P.O. Box 25367
Denver, Colorado 80225-0367



Coal Mine Safety and Health
District 9

JUL 10 1997

Kent Norton
Manager, Health, Safety and Training
Energy West Mining Company
P. O. Box 310, 15 N. Main
Huntington, UT 84528

RE: Trail Mountain Mine
ID No. 42-01211
Channel Canyon Breakouts

Dear Mr. Norton:

The letter dated January 14, 1997, consisting of a cover letter, a detailed drawing of Channel Canyon breakouts, and a location map, requested MSHA to examine the seals at the two drift openings for compliance with federal regulations.

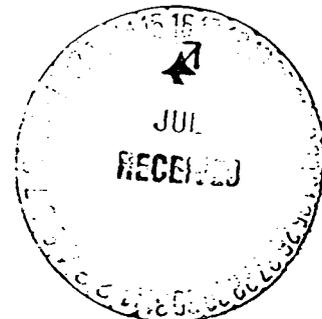
On Tuesday, May 13, 1997, James A. Martin, Coal Mine Inspector, traveled to the site and found that the seals in these two entries do satisfy the regulations in 30 CFR 75.1711.

If you have any questions, please contact this office at 303/231-5462.

Sincerely,

John A. Kuzar
for John A. Kuzar
District Manager

Enclosure





United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Moab District

Price River/San Rafael Resource Area

125 South 600 West

Price, Utah 84501

3482

(UT-066)

Joe Helfrich, Permit Supervisor
Division of Natural Resources
Division of Oil, Gas and Mining
1594 W. North Temple, Suite 1210
Box 145801
Salt Lake City, Utah 84114-5801

OCT - 1 1997

Dear Mr. Helfrich:

The BLM inspected the results of the sealing of the two portal break-outs in the Hiawatha Seam on September 23, 1997. The BLM inspector, Mike Kaminski, was accompanied by Chuck Semborski and Dennis Oakley of Energy West and Bill Malencik and Jess Kelly of Division of Oil, Gas and Mining.

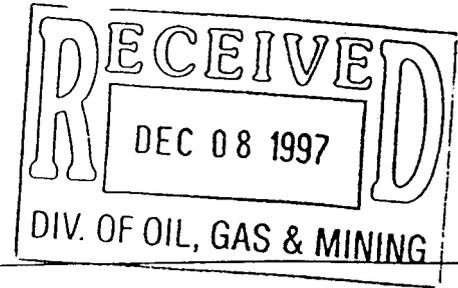
The portals are located on a ledge, midway on an approximate 40-foot vertical cliff face. No topsoil was available to be stored or reapplied. Without soil, seeding the site is futile and should not be attempted. The area above and below the escarpment is well vegetated. The portal seals have been coated with a black tar resembling the rest of the coal outcrop. Standing directly beneath the overhang above the portals, a half dozen or so roof bolts could be seen, despite their being painted to match the surrounding rock. They can only be seen from this position and hence do not constitute a visual obstruction.

The BLM considers these portals to be satisfactorily sealed and all three phases of rehabilitation completed.

Sincerely,

Area Manager

cc: Chuck Semborski
Geology/Permitting Supervisor
P.O. Box 310
Huntington, Utah 84528



December 4, 1997

Mr. Richard Mannus
Bureau of Land Management
Moab District
Price River/San Rafael Resource Area
125 South 600 West
Price, Utah 84501

Copy Pam (all)
ACT/015/019 #12

Dear Mr. Mannus:

As of August 1, 1997, Energy West has completed final reclamation of the Channel Canyon portal breakouts located in Federal Lease U-47978. We are presently applying for Phase III bond release of this area with the Division of Oil, Gas and Mining. As part of the regulations of the Utah Coal Rules, we are required to notify the surface owners stating our intentions. Attached is a copy of the advertisement which will be published in the Emery County Progress, once a week for four consecutive weeks beginning December 9, 1997. Also attached is a copy of the BLM inspection report with your signature.

If you have any questions, or require further information pertaining to the Channel Canyon breakouts, please feel free to call me at 687-4720.

Sincerely,

Charles D. Semborski
Chuck Semborski
Geology/Permitting Supervisor

enclosures

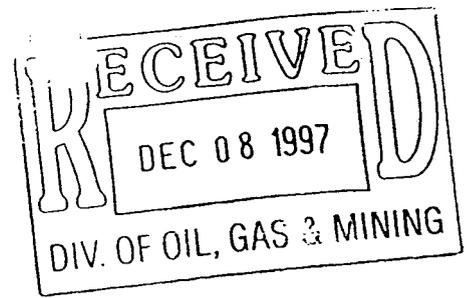
cc: Pam Grubaugh-Littig w/encl. (Division of Oil, Gas and Mining)
Bill Malencik w/encl. (Division of Oil, Gas and Mining)
Scott Childs w/o encl. (InterWest Mining Company)
Blake Webster w/o encl. (InterWest Mining Company)
Susan Tuttle (file)

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Huntington Office:
(801) 687-9821
Fax (801) 687-2695
Purchasing Fax (801) 687-9092

Deer Creek Mine:
(801) 381-2317
Fax (801) 381-2285

Cottonwood Mine:
(801) 748-2319
Fax (801) 748-2380



December 4, 1997

Randy Johnson, Chairman
Emery County Board of Commissioners
P.O. Box 629
Castle Dale, Utah 84513

Dear Mr. Johnson:

As of August 1, 1997, Energy West has completed final reclamation of the Channel Canyon portal breakouts located in Federal Lease U-47978. We are presently applying for Phase III bond release of this area with the Division of Oil, Gas and Mining. As part of the regulations of the Utah Coal Rules, we are required to notify you stating our intentions. Attached is a copy of the advertisement which will be published in the Emery County Progress, once a week for four consecutive weeks beginning December 9, 1997.

The reclamation has been inspected by the BLM and the Division. If you have any questions, or require further information pertaining to the Channel Canyon breakouts, please feel free to call me at 687-4720.

Sincerely,

Chuck Semborski
Geology/Permitting Supervisor

enclosure

do

cc: Pam Grubaugh-Littig w/encl. (Division of Oil, Gas and Mining)
Bill Malencik w/encl. (Division of Oil, Gas and Mining)
Scott Childs w/o encl. (InterWest Mining Company)
Blake Webster w/o encl. (InterWest Mining Company)
Susan Tuttle (file)

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Huntington Office:
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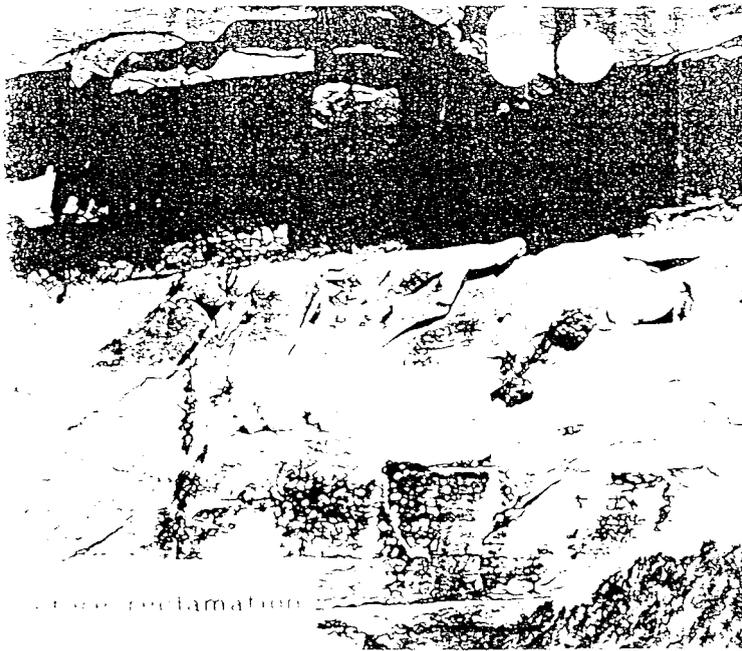
Deer Creek Mine:
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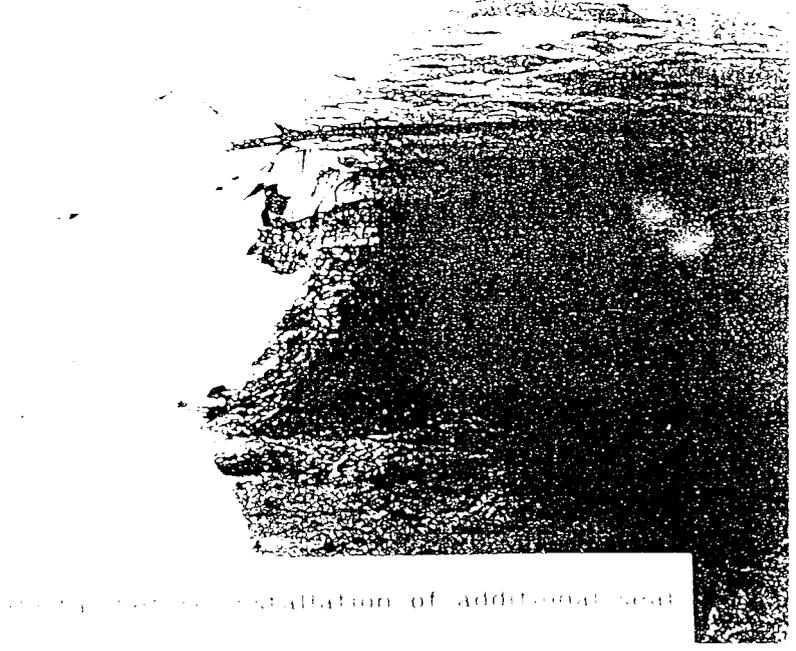


Channel Canyon Portals
Reclamation Project

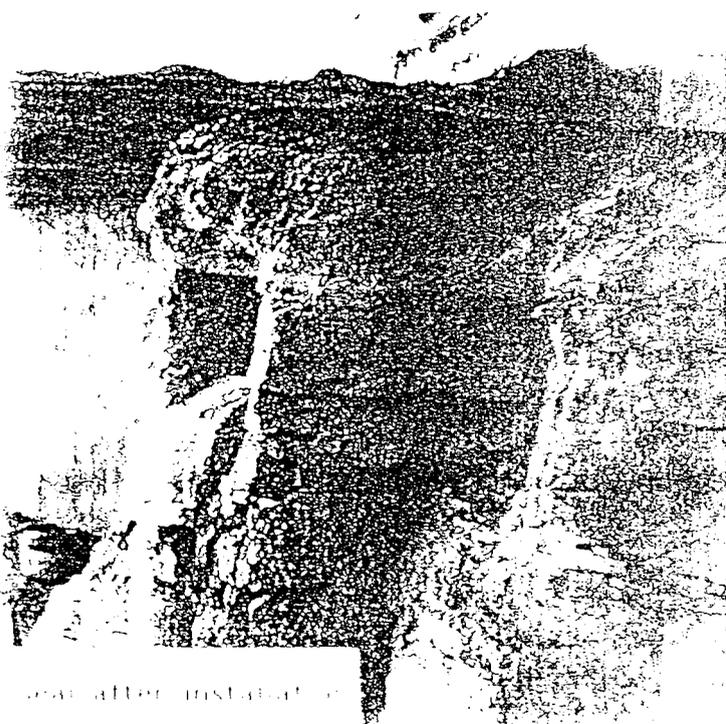
Completed 8-1-97



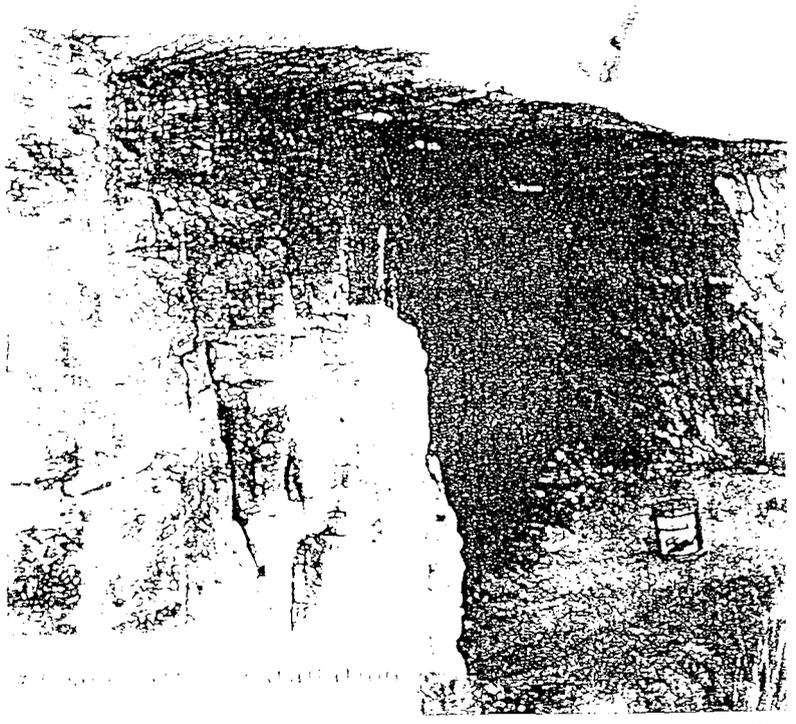
Before reclamation



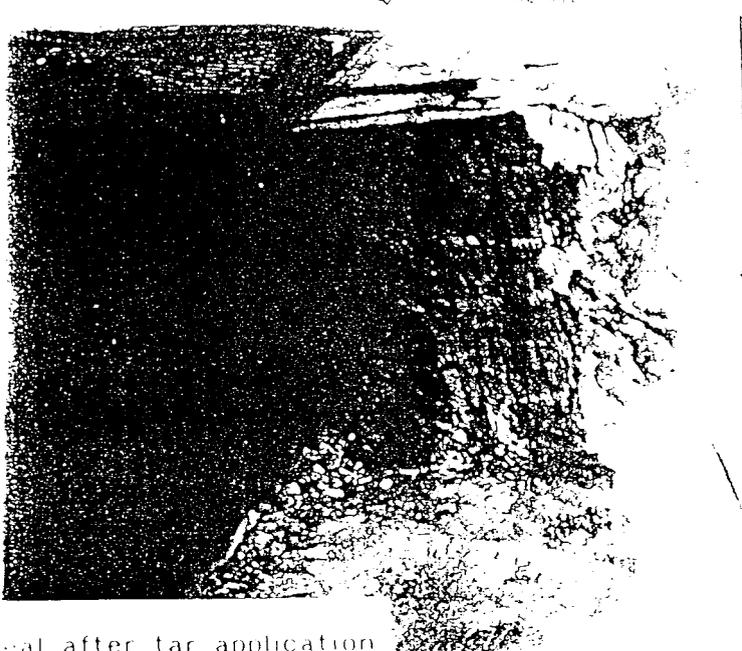
After installation of additional seal



Seal after installation



Seal after installation



Seal after tar application



After reclamation