



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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Michael O. Leavitt
Governor

Lowell P. Braxton
Division Director

November 2, 1999

To: File

Thru: Pam Grubaugh-Littig, Permit Supervisor.

From: Wm. J. Malencik, Reclamation Specialist.

RE: Miller Canyon, PacifiCorp, Cottonwood Mine, ACT/015/019, Folder #2, Emery County, Utah

Miller Canyon seals and PacifiCorp Bond Release. A field trip was organized by PacifiCorp to Miller Canyon. Personnel invited to attend included: BLM, USFS, and DOGM. Those in attendance included: Chuck Semborski, Dennis Oakley, Jeff Defreest, and Bill Malencik. The field trip was completed on 11/1/99.

Facts: The three portals are located in a steep walk-in canyon and contains a total of 0.02 acres. The site is outside the designed disturbed area as identified in the MRP. The area was reclaimed and seeded in the summer of 1999.

The area reclamation is successful as observed by all participants. The Division has before it a phase III bond release. The understanding the permittee has with DEQ is that the UPDES permit will be considered as a separate action by DEQ. The small area reclaimed has been successful as noted above.

The USFS representative and the undersigned recommend the phase III bond release be approved.

My impression of USFS reaction: Jeff Defreest is concerned about the possible reaction of the Forest Supervisor. He mentioned this to the undersigned when we were alone. He asked me to meet with Carter Reed and Aaron Howe and support on collective position.

Current Process: The Division ^{does not have a} ~~has~~ a request from PacifiCorp for a phase III bond release. The SOP is that the Division will submit the phase III bond release to USFS and others for their comments. The comments will be evaluated by the Division before they render their decision. What happens should the USFS object to the release and take the position that the release can not take place until ten years after seeding?