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PO Box 310
Huntington, Utah 84528

February 10, 2001

Utah Coal Program
 Utah Division of Oil, Gas, and Mining
 1594 West North Temple, Suite 1210
 P.O. Box 145801
 Salt Lake City, Utah 84114-5801

Attn: Pam Grubaugh-Littig

Re: Miller Canyon Phase III Deficiency Response, PacifiCorp, Cottonwood/Wilberg Mine, C015/019, Emery County, Utah

Response
BR99D
Incoming
c/015/019

PacifiCorp, by and through its wholly-owned subsidiary, Energy West Mining Company ("Energy West") as mine operator, hereby responds to the deficiencies received from the Division of Oil, Gas and Mining (DOGM) for the Phase III Bond Release Application for the Miller Canyon portals of the Cottonwood Mine.

The format of this document will be DOGM's findings in **bolded** text, followed by Energy West's responses in *italics*.

R645-301-542.200 and R645-301-512.100, The permittee must give the Division certified maps that show the disturbed area boundaries, the final surface configuration (topography) and cross sections of the reclaimed area

Response: Appendix XXII text section has been revised to include the following statement:

This facility consist of three 8 ft. x 16 ft. portals on 100 ft. centers (refer detailed site location map for area of disturbance). In addition, PacifiCorp included a detailed site location map to be included in Attachment 4 which depicts the disturbed acreage.

FEB 20 2001
 DIVISION OF
 OIL, GAS AND MINING

Huntington Office:
 (435) 687-9821
 Fax (435) 687-2695
 Purchasing Fax (435) 687-9092

Deer Creek Mine:
 (435) 687-2317
 Fax (435) 687-2285

Trail Mountain Mine:
 (435) 748-2140
 Fax (435) 748-5125

R645-301-553.120, The permittee must state how highwalls at the Miller Canyon site have been eliminated

Response: Appendix XXII text section has been revised to include the following statement: Ventilation breakouts in Miller Canyon were developed in the Hiawatha Seam located near the head of Miller Canyon approximately one hundred and fifty (150) feet above the canyon floor. Topography in the area is extremely steep and access is limited. Miller Canyon portals were developed during October 1981 from within the mine and no overburden was removed during the development process (refer to Attachment #4). As documented in the highwall survey, no highwalls were associated with the Miller Canyon breakouts (refer to detailed site location in Attachment #4).

R645-301-553.130, The permittee must show that the reclaimed slopes will have a static safety factor of 1.3 or higher

Response: Appendix XXII text section has been revised to include the following statement: Soil material was placed to a thickness of at least 18 inches. Litter material was placed on the newly graded soil to control erosion. Slopes developed during backfilling are consistent with surrounding terrain and should have an adequate safety factor based on past reclamation projects.

R645-301-553.300, The permittee must address how the coal seams that were exposed during mining were covered

Response: Appendix XXII text section has been revised to include the following statement: Six inch rock material was utilized first to create a french drain to enable mine discharge to flow from the portal area. Refer to cross-section in Attachment #4. As the helicopter dumped its load at the portal, the rock material was moved by hand to insure all areas, including all exposed coal seams, of the portal were covered. The rock material was pushed back into the portal as far as possible for complete closure.

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R645-301-356, The applicant needs to submit information showing the vegetation meets the requirements of this regulation and the general requirements in R645-301-353

Response: Appendix XXII text section has been revised to include the following statement:

Performance Standard: *As described above, soil resources in Miller Canyon are limited. Even though the area lacks topsoil, vegetation has established along the edges of the portal breakouts. During the enhancement project, care was taken to prevent damage to existing vegetation. Rock litter and aesthetically appealing materials were strategically placed along the coal outcrop area to blend the portal sites into the surrounding terrain. Portals were backfilled using rock/debris adjacent to and above the portal openings. Soil and native material from adjacent to and above the portal areas were utilized to establish a vegetative cover over the backfilled openings.*

Weed control will not be undertaken unless it is determined necessary due to weed dominance and delayed rate of succession. All noxious weeds will be eradicated either chemically or physically if they become established on the site.

Rodent damage on revegetated areas will be assessed during monitoring periods. Species specific control measures will be implemented as necessary.

Annual monitoring will also include inspection for rills and gullies. Should these be present, they will be filled and the soil re-seeded. Rill and gully repair will follow the regulations set forth in the Coal Rules R645-301-357.360 through R645-301-357.365. As repairs are recognized, the Division will be notified and the affected area will be reported in the annual vegetation report.

Because the reclaimed portals are such an insignificant area compared to the area as a whole, vegetation monitoring will be undertaken as outlined in the following table until the performance standards have been met. When these standards are met, Phase III Bond Release will be applied for and the Division may grant the release. Standards for success are outlined below.

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<i>10 Year Revegetation & Monitoring</i>	<i>1st Year 2000</i>	<i>2nd Year 2001</i>	<i>3rd Year 2002</i>	<i>4th Year 2003</i>	<i>5th Year 2004</i>	<i>6th Year 2005</i>	<i>7th Year 2006</i>	<i>8th Year 2007</i>	<i>9th Year 2008</i>	<i>10th Year 2009</i>
<i>Plant Monitoring Disease & Pest Control*</i>		✓ ✓								
<i>Soil Stabilization Rills & Gullies</i>		✓	✓	✓	✓	✓	✓	✓	✓	✓
<i>Contingent Seeding</i>		✓			✓					
<i>Revegetation Inventory for Bond Release</i>									✓	✓

**Monitoring is conducted once per year during the spring.*

Standards for success: A reference area will be located adjacent to the reclaimed Miller Canyon portals. Cover and diversity of the reclaimed portal areas will be compared to the reference area.

The line intercept or ocular estimation methods will be used to measure cover and species composition. As per the Division's recommendations, the shrub density standard is set at zero (0). Any shrub or woody species found on the site will be recorded by species and numbers and reported in the annual report. The standards for success to be applied for ground cover on the reclaimed areas will be at least equal to 90% (with a 90% confidence level) to that of the respective reference area at the time of bond release.

At the time of bond release, similarity between the reclaimed area and corresponding reference area will compare life forms and/or species present in each community by the use of a similarity index. Indices of similarity provide the means of mathematically comparing the plant communities in the two areas. One of the three indices, or a combination thereof, found in the Vegetation Guidelines, Appendix B will be used to determine the similarity between the reclaimed and reference area. If another index is used, or combination thereof, Division approval will be required. Similarity will be determined successful when the index value is at least 70% of the reference area.

R645-301-357, Because it was possible to topsoil and revegetate the site, the period of extended responsibility for successful revegetation applies. This period begins after the last augmented seeding, irrigation or other work and continues for either five or ten years. Since the seeding and other reclamation work were done just more than one year ago, the applicant has not met this requirement

Response: Refer to previous response.

R645-301-341.250, The applicant needs to propose a revegetation success standard for the Miller Canyon portals

Response: Refer to previous response.

R645-301-761, 1) It is unclear if the Miller Canyon portal seals will prevent flow from discharging if the sections of the mine fill up after closure. 2) The operator should summarize the cause of changes in flow from the Miller Canyon portals and state the reasons for fluctuation. 3) The operator should describe how flow patterns will be affected once the Trail Mountain tunnel is sealed. 4) The applicant should discuss when the UPDES monitoring site was moved from the portal location to the mouth of Miller Canyon

Response: 1) Appendix XXII text section (Post Mine Gravity Discharge) has been revised to include: Gravity discharge from intercepted groundwater in the Wilberg Mine will occur as seeps from the individual portals. To controlled post mine discharges, PacifiCorp will install hydrologic seals, or developed a permanent discharge at the Trail Mountain Access portals. Installation of the hydrologic seals or development of a permanent discharge at the Trail Mountain Access portals will minimize post mine discharge at the Miller Canyon portals. Hydrologic monitoring, as stipulated in the UPDES permit, will continue until Phase III bond release is accepted. As mentioned early, several small seeps occur along the formational boundary between the Blackhawk and Star Point formations. Flow from the formational seeps is insufficient for sample collection. 2) Appendix XXII text section (R645-301-700: Hydrology) has been revised to include: Discharge from the Miller Canyon breakouts average less than 20 gpm and steadily decreased from 1994 to 1996 to less than 5 gpm. Monthly discharge rate fluctuations were mainly a function of yearly freeze/thaw cycles. Diminishing discharge rates beginning 1994 was related to the development of the Trail Mountain Access entries which intercepts groundwater normally discharged at Miller Canyon. No

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discharge has been reported from the portals since August 1996. 3) Refer to comments in 1). 4) Due to the insufficient flow and the limited year around access, Department of Health inspectors suggested inspecting the quantities of flow at the mouth of Miller Canyon instead of at the breakouts. If flow was observed, Energy West collected and reported the discharge rate and quality.

R645-301-880.100, Copies of the letters of notification and the affidavit of publication need to be made part of the bond release application

Response: *Copies of the notification letters are included in Attachment 8.*

Four redline/strikeout copies are provided for review. One copy has been sent directly to the Price Field Office. Upon approval, Energy West will submit the required copies. *

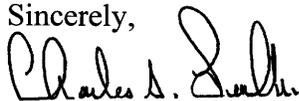
The following items listed reflect the changes and revisions to the Cottonwood MRP:

Appendix Volume: Appendix XXII

- ✧ Replace Entire Text Section
- ✧ Attachment #4: Replace Map
- ✧ Attachment #6: Replace Divider Sheet and Insert BLM Concurrence Letter
- ✧ Insert New Attachment #8

If you have any questions or concerns, please contact Dennis Oakley at (435) 687-4825 or myself at (435) 687-4720.

Sincerely,



Charles A. Semborski
Geology/Permitting Supervisor

Encl

Cc: Steve Demczak, DOGM - Price Office
Scott Child, InterWest Mining
Carl Pollastro
File

APPLICATION FOR PERMIT PROCESSING

Permit Change
 New Permit
 Renewal
 Transfer
 Exploration
 Bond Release

Permit Number: C015/019

Title of Proposal:
 Revised Alternative Miller Canyon Phase III Deficiency Response, PacifiCorp, Cottonwood/Wilberg Mine,
 C015/019, Emery County, Utah

Mine: COTTONWOOD/ WILBERG

Permittee: PACIFICORP

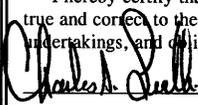
Description, include reason for application and timing required to implement:

Instructions: If you answer yes to any of the first 8 questions (gray), submit the application to the Salt Lake Office. Otherwise, you may submit it to your reclamation specialist.

- | | | |
|---|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 1. Change in the size of the Permit Area? _____ acres Disturbed Area? _____ acres <input type="checkbox"/> increase <input type="checkbox"/> decrease. |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 2. Is the application submitted as a result of a Division Order? DO # |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 3. Does application include operations outside a previously identified Cumulative Hydrologic Impact Area? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 4. Does application include operations in hydrologic basins other than as currently approved? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 5. Does application result from cancellation, reduction or increase of insurance or reclamation bond? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 6. Does the application require or include public notice/publication? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 7. Does the application require or include ownership, control, right-of-entry, or compliance information? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 9. Is the application submitted as a result of a Violation? NOV # |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 10. Is the application submitted as a result of other laws or regulations or policies? Explain: |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 11. Does the application affect the surface landowner or change the post mining land use? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2?) |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 13. Does the application require or include collection and reporting of any baseline information? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 15. Does application require or include soil removal, storage or placement? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 16. Does the application require or include vegetation monitoring, removal or revegetation activities? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 17. Does the application require or include construction, modification, or removal of surface facilities? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 18. Does the application require or include water monitoring, sediment or drainage control measures? |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 19. Does the application require or include certified designs, maps, or calculations? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 20. Does the application require or include subsidence control or monitoring? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 21. Have reclamation costs for bonding been provided for? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 22. Does application involve a perennial stream, a stream buffer zone or discharges to a stream? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 23. Does the application affect permits issued by other agencies or permits issued to other entities? |

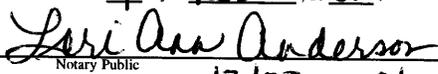
Attach 4 complete copies of the application.

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein. (R645-301-123)



Charles A. Semborski - Geology/Permitting Supervisor Signed - Name - Position - Date 2/14/2001

Subscribed and sworn to before me this 14 day of Feb, 2001.


Notary Public

My Commission Expires: 12/22, 2001
Attest: STATE OF Utah
COUNTY OF Emery



Received by Oil, Gas & Mining

ASSIGNED TRACKING NUMBER

