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August 3, 2001

Utah Coal Program
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

Subject: **Round 2 Response to Deficiencies in the Cottonwood Fan Portal Phase I Bond Release Application, PacifiCorp, Cottonwood Mine, [REDACTED], Emery County, Utah**

PacifiCorp, by and through its wholly-owned subsidiary, Energy West Mining Company ("Energy West") as mine operator, hereby submits responses to the deficiencies of the Cottonwood Fan Portal Phase I Bond Release Application. The original application was submitted June 30, 2000. PacifiCorp received the deficiencies in the document dated September 27, 2000 and submitted responses dated December 8, 2000. PacifiCorp again received deficiencies on March 7, 2001. The following is the responses to the March 7, 2001 deficiencies.

The attached document attempts to answer the deficiencies in the order they were received. The Division's findings will be first listed by regulation and explanation. PacifiCorp will follow by a response in *italics*.

Accompanying this letter are four (4) copies of deficiency responses. Also accompanying this submittal are amendments to the Cottonwood Fan Portal Reclamation Plan, March 1998 as required by the March 7, 2001 Technical Analysis. Redline/strikeout copies of the amended portions are included as well as the C1/C2 form for their placement into the reclamation plan. If you have any questions or concerns regarding this document, please contact myself at (435) 687-4720 or Dennis Oakley at (435) 687-4825.

Sincerely,

Dennis Oakley

for Charles A. Semborski
Permitting/Geology Supervisor

Enclosure: Response to Technical Analysis Deficiencies
C1/C2 Forms for Amended Parts of Reclamation Plan
Redline/Strikeout Versions of Amended Chapters

Cc: Carl Pollastro w/o enclosures
Scott Child w/o enclosures

File: Cottonwood 2001
Cottonwood Fan Portal Phase I Response to Deficiencies

Huntington Office:
(435) 687-9821
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Deer Creek Mine:
(435) 687-2317
Fax (435) 687-2285

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

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DIVISION OF
OIL, GAS AND MINING

BEOD-2
Response

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[REDACTED]

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Response to Technical Analysis Deficiencies

The following responses to deficiencies are formatted as found in the technical analysis document. They are broken down into logical section headings similar to the R645 regulations. In each section, the regulation number along with the associated deficiency is followed by the permittee's italicized response.

Reclamation Plan

Approximate Original Contour Restoration

R645-301-121.200, R645-301-542.300, The permittee must give the Division the following: 1) identical copies of Plate 5-7, 2) define the term existing ground on Plate 5-7 (does the term existing ground mean the premining or the operational surface?) And 3) show the location of the cross-section on Plate 5-7 on Plate 5-1.

1) Map 5-7 has been revised to show all existing ground lines. This map is attached and will supercede the previous Plate 5-7.

2) This term has been used throughout the entire process of the reclamation plan to detail the surface configuration at the time the plan was being developed. With this in mind, the term "pre-existing" has been changed to "pre-final reclamation ground line." This term has been amended on plates 5-4 and 5-7.

3) The location of the cross-sections found on Plate 5-7 should actually be shown on Plate 5-5 and not Plate 5-1. Plate 5-5 has been revised to show this change and is attached to this submittal. Cross-sections and baselines have been appropriately cross-referenced on associated maps.

Backfilling and Grading

R645-301-553.300, The permittee must show that all coal seams, acid- and toxic forming materials, and combustible materials exposed during the explorations have been properly covered. Specifically the permittee must show 1) the location of all coal seams on the cross-sections so the Division can make a finding that all coal seams have been properly backfilled, 2) the testing standard used to determine that material with BTU's ranging from 3,800 to 4,900 would not be combustible and 3) what methods were used to determine that the material in the carbonaceous layers is not coal.

1) The location of all coal seams have been located on Plate 5-3, map 1 and 2. The maps are included with this submittal.

2) The phrase used on page 6 of the Engineering Section, "would not be considered combustible" should not have been used. If a material has a BTU associated with it, it has the potential for combustion as long as all conditions are right. The Engineering Section has been amended to discuss the carbonaceous sequences that occur above the coal seam. This issue is also discussed below.

Two samples were taken of the carbonaceous material above the coal seam on November 7, 2000. One sample on the north end of the site on Terrace #3(CFP0200), and one sample on the southern end on Terrace #1 (CFP0400). The samples were analyzed by CT&E according to ASTM Standards,

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Volume 05.06. The samples were analyzed for % moisture, % ash, % volatile matter, % fixed carbon, BTU/lb, and % sulfur. The results are organize below.

Sample	% Moisture	% Ash	% Volatile	% Fixed Carbon	BTU/lb	% Sulfur
CFP002	18.51	36.82	27.43	17.24	4911	0.26
CFP004	9.32	54.42	24.28	11.98	3791	0.46

Coal is defined¹ as a "readily combustible rock containing more than 50% by weight...of carbonaceous material including inherent moisture, formed from compaction and induration of variously altered plant remains similar to those in peat." As shown from the analysis above, CFP004 cannot be defined as coal, whereas, sample CFP002 can be, but only because the moisture is a high percentage of the total sample. Sample CFP002 can be described as a very low grade coal, but not the same as found in the covered coal seam. This material is highly unlikely to spontaneously combust due to its consolidated nature. Coal analysis is provided in Appendix D of the Soil Section.

Two other samples (CFP0100, CFP0300) were take in the exact locations of CFP0200 and CFP0400. The samples were analyzed by Intermountain Labs to insure that the exposed were not acid or toxic forming. The analysis found that the area was capable of supporting vegetation. The soil analysis is also found in Appendix D of the Soils Section.

The carbonaceous sequences exposed at the Cottonwood Fan Portal area occur naturally throughout the area. Coal seams are also naturally exposed. The areas discussed above replicate areas found outside the disturbed boundaries and do not pose any harm to the environment. Page 6, in the Engineering Section, as well as the Soils Section, have been amended to show the above information and is included with this submittal.

3) This deficiency was answered in #2 above.

Topsoil and Subsoil

R645-301-240, The narrative and Plates submitted must correlate, see the above technical analysis for details (i.e. Plate 5-5 and that last sentence of page 4, Soils Section Volume 11, Cottonwood Fan Portal; Revised Plate 5-7; and the last sentence of the first paragraph of the revised page 5).

Plate 5-3, maps 1 and 2, has been amended removing the topsoil/subsoil segregations. The topsoil and subsoil was used interchangeably as the planting medium as approved by the Division.

The last sentence of page 4, Soils Section references the mass balance table on Plate 5-5. The mass balance table on Plate 5-5 has been amended to reflect as-built conditions of the Cottonwood Fan Portal reclamation work.

¹American Geological Institute, Dictionary of Geological Terms, Revised Edition, Anchor Books, 1976, pg 80.

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R645-301-242.130, The action taken to protect the redistributed soil from wind and water erosion should be accurately reflected in the submittal.

Page 6, Erosion Control, in the Soils Section has been amended to accurately portray the material used to protect the redistributed soil from erosion. The Soils Section, as well as the Biology Section, have been resubmitted in-full (except appendices) for Division review.

R645-301-231.400, Plate 5-4 requires revision to accurately portray the new subsoil pile configuration.

Plate 5-4 has been amended to accurately portray the contour of where the topsoil previously existed. Note that the entire topsoil pile (1061 cyds.) was used during final reclamation.

Road Systems and Other Transportation Facilities

R645-301-542.600, The permittee must show that the section of the CFP access road by the Johnson Mine portals must be retained to preserve the historic Johnson Mine Portals. The permittee did not respond to this deficiency in the Dec. 14, 2000 submittal.

The permittee did respond to this deficiency in the Dec. 14, 2000 submittal and will repeat what was said then. On Plate 5-5, the historic Johnson Mine site area is outline as a bolded dashed line. This line was established with the cooperation of the State Historic Preservation Office (SHPO), Division of Oil, Gas and Mining, Energy West, and the land owner (LDS Church). All parties agreed with the reclamation plan. The Plan states in the Land Use section on page 2, R645-301-411.142, "The delineated Old Johnson Mine area is outside the reclamation area, and will thus be protected from any disturbance. The roadway in front of the old portal is expected to be utilized for access into the disturbed area for reclamation purposes...The roadway will be reclaimed to approximate original contour from the portals to the tube conveyor (refer to Plate 5-2 CFP Volume 11)." When referring to Plate 5-2, the access road in front of the portals is shown to be retained. During reclamation activities, this portion of the road was roughened and revegetated. The undisturbed area of the historic Johnson Mine site has been delineated using hatchings. Refer to the December 14, 2000 submittal of Plates 3-13, 5-1, 5-2, 5-3, 5-5, and 5-5A.

In addition to the information provided above, a signed letter was received by Energy West from the Church of Jesus Christ of Latter Day Saints (September 30, 1998) giving consent to proceed with the reclamation as outlined in the reclamation plan. This letter was incorporated into the plan and placed in the Land Use Section in Appendix A. This was stamped approved by the Division.

The Division's technical analysis also acknowledges that the portals remain exposed at the land owners's request. Refer to March 7, 2001 Technical Analysis, Page 11, Topsoil and Subsoil, last sentence in second paragraph under analysis.

APPLICATION FOR PERMIT PROCESSING

Permit Change <input checked="" type="checkbox"/>	New Permit <input type="checkbox"/>	Renewal <input type="checkbox"/>	Transfer <input type="checkbox"/>	Exploration <input type="checkbox"/>	Bond Release <input type="checkbox"/>	Permit Number: C/015/019
Title of Proposal: Round 2 Response to Deficiencies in the Cottonwood Fan Portal Phase I						Mine: Cottonwood/Wilberg Mine
Bond Release Application, PacifiCorp, Cottonwood Mine C/015/019-BR00D-1						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), this may be a Significant Revision and require Public Notice. Any questions, please call a Permit Supervisor.

<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 checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	15. Does application require or include soil removal, storage or placement?
<input checked="" type="checkbox"/> Yes	<input 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.

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

Subscribed and sworn to before me this 12 day of August, 2001.

Shirley Ann Anderson
 Notary Public

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

} ss:

Received by Oil, Gas & Mining

ASSIGNED TRACKING NUMBER

