



PO Box 310
Huntington, Utah 84528

August 27, 2002

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

Incoming
C/015/019
Responses to BR00D *OK*

Re: Responses to Deficiencies to the Phase I Bond Release for the Cottonwood Fan Portal Area, PacifiCorp, Cottonwood/Wilberg Mine, C/015/019-BR00D-3(a), 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 and requested a 60 day extension on June 13, 2001. The Division granted the extension and required the application to be submitted by August 13, 2001. On August 3, 2001, PacifiCorp submitted Round 2 deficiency responses. On October 12, 2001, PacifiCorp received the technical review for the second round of deficiencies. In the document dated January 9, 2002, PacifiCorp responded to those round three deficiencies. An approval to update the MRP was given on January 23, 2002.

Following the approval of the Phase I Bond Release Application an on-site inspection was conducted on April 2, 2002. As a result of that inspection deficiencies (document dated May 30, 2002) were required to be addressed by the permittee.

The attached document attempts to answer the deficiencies received from the document dated May 30, 2002. The Division's findings will be first listed by regulation and explanation. PacifiCorp will follow by a response in *italics*. Required C1/C2 for amended pages of the MRP are included with this submittal.

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,

Charles A. Semborski
Charles A. Semborski
Permitting/Geology Supervisor

RECEIVED

AUG 28 2002

**DIVISION OF
OIL, GAS AND MINING**

Enclosure: Response to Technical Analysis Deficiencies
C1/C2 Forms

cc Carl Pollastro
file

Cottonwood/Wilberg Mine

Huntington Office:
(435) 687-9821

Fax (435) 687-2695

Purchasing Fax (435) 687-9092

Deer Creek Mine:
(435) 687-2317

Fax (435) 687-2285

C/015/019

Trail Mountain Mine:
(435) 748-2140

Fax (435) 748-5125

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

Backfilling and Grading

R645-301-553.100, The gully near the end of Ditch UD-3 must be filled, regraded, or otherwise stabilized, then reseeded or replanted.

The gully noted above has been filled, regraded, and reseeded. This was accomplished August 5, 2002 using helicopter support for hauling materials from the parking lot of the Trail Mountain mine to the gully. Approximately 16 cu. yds. of +6" drainrock and 7 cu. yds. of topsoil were used repair this area.

On August 8, 2002, Division personnel (Daron Haddock, Joe Helfrich, Jim Smith, and Wayne Western) inspected the repair area and found that all Division concerns for the gully have been satisfied.

Hydrologic Information

R645-301-880.310, -761, Modify the Mining and Reclamation Plan to relate that there will not be an undisturbed drainage collection ditch above the site and to describe reclamation of ditch UD-3.

An intense precipitation event occurred in August, 2000 over the Cottonwood Fan Portal area. The amount of runoff over the site was tremendous. Ditch UD-3 was breached in three locations along its length. The breaching of this ditch, however, did little damage to the site.

Repair of the breached sections of Ditch UD-3 were discussed with the Division inspector. It was concluded that no maintenance should be conducted on the ditch and that it should be left to reclaim itself naturally.

Engineering and Hydrologic sections in Volume 11 of the Cottonwood/Wilberg MRP have been amended to discuss ditch UD-3 and DD-4.

R645-301-121.200, Include the information concerning the county's request that ditch DD-4 remain as a terrace to stop debris from rolling down the slope and onto the road and provide the Attachment to Chapter 7 with descriptive information on DD-4.

The permittee does not know of any formal written request. This deficiency was responded to in a January 14, 1998 deficiency response document (see page 2, item 3 of this document):

3. R645-301-742.313, The plan must include backfilling ditch DD-4, this ditch will no longer be needed to achieve the purpose for which it was authorized. Backfilling and regrading to promote overland flow will approximate AOC for the regraded portion of the site.

Response: *"Energy West" reviewed the previous submittal determination concerning the DD-4 ditch. Further inspection and survey work of the site confirms our previous decision to have the ditch remain intact. With this in mind, phone contact with the Division was made and arrangements to have Reclamation Specialist of the Division conduct an onsite field evaluation, specifically the DD-4 ditch situation and the question of final reclamation.*

After the field inspection was conducted, it was concluded that the ditch would remain intact. This decision was based on the following parameters.

- 1. To fill in the ditch and try to create overland sheet flow (water) could jeopardized the outslope conditions as they exist at this time. Surface flows, to a certain degree, would still follow the natural slope towards the north. Concentrated flows would create erosion rills in the same path direction as the present DD-4 ditch line. (long range concerns)*
- 2. The area has been proven stable and has not shown signs of deterioration over the past several years.*
- 3. Established vegetation has provided a means of minimizing erosion. To fill in the ditch would cause severe damage to that vegetation growth, during construction efforts.*
- 4. The terrace area that contains the DD-4 ditch is a natural buffer zone for rock falls and could prevent rocks from reaching the County road at the base of the CCFP site.*
- 5. Backfilling the DD-4 ditch would not change the AOC significantly.*

Therefore the text found on page 25, Sec. 761-General Comments and 762.100 will remain as submitted in Round II.

DD-4 Ditch Design and surface flow parameters are provided in the original submittal, volume 11, under the Hydrology section, appendix XIII. The ditch as shown on plate 3-10 x-section drawing, and drawing KS1742D, plate 5-5A depict a gradient flow of -3.2% through the pond reclamation area and into the existing County road bar ditch. The original ditch hydraulic designs are reflected on Map 3, (HA&L) and within the text of appendix XIII of volume 11. As defined in the regulations final reclamation structures, in this case a permanent diversion, require parameters to comply with a 100 year/ 6 hour storm event. This storm event will result in 2.2 inches of rainfall according to the NOAA Atlas 2, Precipitation-Frequency charts. Ditch DD-4 was designed utilizing the 10 year/ 24 hour storm event of 2.4 inches which results in peak flow in excess of the 100 year/ 6 hour storm event. Calculations to verify the original designs are located in Energy West's original volume 11, appendix XIII, pages 1 through 8.

The HA&L design for Ditch DD-4 channel indicates water velocities will be 3.09 fps to 3.92 fps for slopes of 6% and 12% respectively. These flows are below the 5 fps non-erodible permissible velocity for a ditch with these characteristics. Final reclamation of the Ditch DD-4 in the sediment basin area will have a slope of 3.2% utilizing the same design criteria as the original ditch design. The design flow of 0.7 cfs will result in a velocity of 2.03 fps and depth of 0.23 feet. As a result of the design criteria rip-rap will not be necessary, however, riprap will be installed at the confluence with County Road bar ditch. Using the SCS riprap design method a D_{50} of less than 1" was estimated. The riprap transition will be constructed with a D_{50} of 0.5 feet (refer to Drawing KS1742D, Plate 5-5A0).

The reclamation plan was approved April 27, 1998.

APPLICATION FOR PERMIT PROCESSING

| | | | | | | |
|---|-------------------------------------|----------------------------------|-----------------------------------|--------------------------------------|--|--------------------------------------|
| <input type="checkbox"/> Permit Change | <input type="checkbox"/> New Permit | <input type="checkbox"/> Renewal | <input type="checkbox"/> Transfer | <input type="checkbox"/> Exploration | <input checked="" type="checkbox"/> Bond Release | Permit Number: C/015/019 |
| Title of Proposal: Responses to Deficiencies to the Phase I Bond Release for the Cottonwood Fan Portal Area, PacifiCorp, Cottonwood/Wilberg Mine C/015/019-BR00D-3a, Emery County, Utah | | | | | | Mine: Cottonwood/Wilberg Mine |
| | | | | | | 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 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 type="checkbox"/> Yes | <input checked="" 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
 Signed - Name - Position - Date
 Subscribed and sworn to before me this 23 day of August, 2002

Notary Public
 My Commission Expires: 11-15-2, 2004
 Attest: STATE OF UTAH COUNTY OF EMERY

Geology/Permitting Supervisor
DON CHILDS
 NOTARY PUBLIC - STATE OF UTAH
 31 NORTH MAIN
 HUNTINGTON, UT 84528
 COMM. EXP. 11-15-2004

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