

# TECHNICAL MEMORANDUM

## Utah Coal Regulatory Program

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April 30, 2007

TO: Internal File

FROM: James D. Smith, Environmental Scientist, Team Lead *DS 05/31/07*

RE: Midterm Review, PacifiCorp, Cottonwood/Wilberg Mine, C/015/0019, Task ID #2758

### SUMMARY:

Approximately two million tons of recoverable coal remain at the Cottonwood/Wilberg Mine. There is currently no mining or reclamation activity. The most recent coal-mining and reclamation operation at the Cottonwood/Wilberg Mine involved transporting coal from the Trail Mountain Mine on the Cottonwood/Wilberg underground beltway and loading the coal into trucks at the Cottonwood/Wilberg surface facilities in Grimes Wash. Both the Trail Mountain and Cottonwood/Wilberg Mines have been in temporary cessation since 2001. The Permittee has not reclaimed the Cottonwood/Wilberg Mine in anticipation that coal from the Cottonwood tract, adjacent to the Trail Mountain Mine, will at some time in the future also be transported through the mine and loaded on trucks at the Cottonwood/Wilberg facilities.

The Cottonwood/Wilberg Mine permit was renewed 07/06/04. In accordance with R645-303-211, the Division is required to review each active permit during its term, not later than the middle of the permit term (01/06/07 for the Cottonwood/Wilberg Mine). The review is to cover pertinent elements that have been selected for review.

The Division notified the Permittee of the midterm review for the Cottonwood/Wilberg Mine in a March 5, 2007 letter to Ken Fleck, Manager of Geology and Environmental Affairs. The elements selected for review during the Midterm Review, which were outlined in that letter, are:

1. An AVS check to ensure that Ownership and Control information is current and correct.

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2. A review to ensure that the Plan has been updated to reflect changes in the Utah Coal Regulatory Program, which have occurred subsequent to permit approval (One area of emphasis is to ensure compliance with the U. S. Fish and Wildlife Colorado River Endangered Fish Recovery Program.)
3. A review of the plan to ensure that the requirements of all permit conditions, division orders, notice of violation abatement plans, and permittee initiated plan changes are appropriately incorporated into the plan document.
4. A review of the applicable portions of the permit to ensure that the plan contains commitments for application of the best technology currently available (BTCA) to prevent additional contributions of suspended solids to stream flows outside of the permit area.
5. A review of the bond to ensure that it is in order and that the cost estimate is accurate and is escalated to the appropriate year dollars.
6. A review of the mining and reclamation plan commitments for the subsidence control/monitoring plans and reporting requirements.
7. The Division may conduct a technical visit in conjunction with the assigned compliance inspector to document the status and effectiveness of the operational, reclamation, and contemporaneous reclamation practices.

This memo addresses Item 4, the AVS check for Item 1, and Special Conditions to the Permit, part of Item 3. Jerriann Ernsten is addressing item 2, Priscilla Burton items 1 and 3, and Wayne Western items 5 and 6. There was no on-site inspection of this inactive site by the team for this midterm review.

**TECHNICAL ANALYSIS:**

**GENERAL CONTENTS**

**VIOLATION INFORMATION**

Regulatory Reference: 30 CFR 773.15(b); 30 CFR 773.23; 30 CFR 778.14; R645-300-132; R645-301-113

**Analysis:**

An AVS check was done through OSM. Links to two outstanding violations were identified. The Division has notified the Permittee of these apparent violations that need to be resolved.

**Findings:**

The Division has notified the Permittee of these apparent violations that need to be resolved.

## OPERATION PLAN

### HYDROLOGIC INFORMATION

Regulatory Reference: 30 CFR Sec. 773.17, 774.13, 784.14, 784.16, 784.29, 817.41, 817.42, 817.43, 817.45, 817.49, 817.56, 817.57; R645-300-140, -300-141, -300-142, -300-143, -300-144, -300-145, -300-146, -300-147, -300-147, -300-148, -301-512, -301-514, -301-521, -301-531, -301-532, -301-533, -301-536, -301-542, -301-720, -301-731, -301-732, -301-733, -301-742, -301-743, -301-750, -301-761, -301-764.

**Analysis:**

**General**

There is one stipulation attached to the Cottonwood/Wilberg Mine Permit:

PacifiCorp will submit water quality data for the Cottonwood/Wilberg Mine in an electronic format through the Electronic Data Input website, <http://linux1.ogm.utah.gov/cgi-bin/appx-ogm.cgi>.

The Permittee is complying with this stipulation.

**Sediment Control Measures**

Two sedimentation ponds and ten ASCAs provide application of the best technology currently available (BTCA) for sediment control at the Cottonwood/Wilberg Mine. Design details for the sedimentation ponds are in Appendix XIII. Table 5 of Part 3 of the MRP briefly describes the ASCAs and refers to other sections of the MRP for more detailed information.

**Water Replacement**

The current permit for the Cottonwood/Wilberg Mine was renewed July 6, 2004. Utah Coal Mining Rule R645-301-731.530 for replacement of state-appropriated water supplies was approved by OSM in December 2001, and implemented in the state program in August 2002. This rule, along with R645-301-525.480, requires that the MRP have in place a plan that can be implemented for prompt replacement of affected State-appropriated water supplies, in other words, an executable mitigation plan is to be in place before there is a problem.

The Permittee has water rights through shares in Huntington Cleveland Irrigation Company. Section 731.800 of Volume 9 contains a commitment to replace water lost or

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adversely affected because of the Permittee's mining operations, if such loss or impact occurs before bond release. Table MFHT in Volume 12 of the Deer Creek Mine MRP specifies several actions that can be taken to replace water supplies that have been diminished, contaminated, or interrupted. Although as presented in Table MFHT these are specific to the Deer Creek Mine, they identify distinct actions the Permittee could take to fulfill their commitment to replace lost or adversely affected water supplies at the Cottonwood/Wilberg Mine.

**Findings:**

Hydrologic Operation Information is sufficient to meet the requirements of the Coal Mining Rules.

**RECOMMENDATIONS:**

The Division should approve the midterm review.