0024

ACT/007/004
#3

State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor
Ted Stewart
Executive Director
James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

June 26, 1995

John Pappas
Cyprus Plateau Mining Corporation
P. O. Drawer PMC
Price, Utah 84501

Re: Soil Sampling Program in Sowbelly Canyon, Cyprus Plateau Mining Corporation, Castle Gate Mine, ACT/007/004, Folder #3, Carbon County, Utah

Dear Mr. Pappas:

The Division has completed a review of your waste and substitute topsoil sampling plans dated June 19, 1995. The plan is hereby approved with the following conditions.

1) The first sample depth increment should be 0-12 inches.

2) It is unnecessary to perform the acid/base analysis on material which does not contain coal waste.

It is our understanding that the sampling is tentatively scheduled during this week. Please notify Henry Sauer of the finalized sampling schedule so that he can make arrangements to participate.

Sincerely,

Daron R. Haddock

Daron R. Haddock
Permit Supervisor

cc: David McMillan (Earthfax)
H. Sauer
P. Baker

soilsow.cas

Form DOGM - D1 (Last Revised 6/93)

Folder #3 & Amend. file

File Folder #3

PERMIT AMENDMENT APPROVAL

ACT/007/004

Title: Elimination of Conflicts (June 12 + July 5 Submittals)	PERMIT NUMBER: 95C Round II
Description:	PERMIT CHANGE #:
	MINE: Castle Gate
	PERMITTEE: AMAX

WRITTEN FINDINGS FOR PERMIT APPLICATION APPROVAL	YES, NO or N/A
1. The application is complete and accurate and the applicant has complied with all the requirements of the State Program.	Yes
2. The proposed permit area is not within an area under study or administrative proceedings under a petition, filed pursuant to R645-103-400 or 30 CFR 769, to have an area designated as unsuitable for coal mining and reclamation operations, unless:	Yes
A. The applicant has demonstrated that before January 4, 1977, substantial legal and financial commitments were made in relation to the operation covered by the permit application, or	Yes
B. The applicant has demonstrated that the proposed permit area is not within an area designated as unsuitable for mining pursuant to R645-103-300 and R645-103-400 or 30 CFR 769 or subject to the prohibitions or limitations of R645-103-230.	Yes
3. For coal mining and reclamation operations where the private mineral estate to be mined has been severed from the private surface estate, the applicant has submitted to the Division the documentation required under R645-301-114.200.	Yes
4. The Division has made an assessment of the probable cumulative impacts of all anticipated coal mining and reclamation operations on the hydrologic balance in the cumulative impact area and has determined that the proposed operation has been designed to prevent material damage to the hydrologic balance outside the permit area.	Yes
5. The operation would not affect the continued existence of endangered or threatened species or result in destruction or adverse modification of their critical habitats, as determined under the Endangered Species Act of 1973 (16 U.S.C. 1531 et.seq.).	Yes
6. The Division has taken into account the effect of the proposed permitting action on properties listed on and eligible for listing on the National Register of Historic Places. This finding may be supported in part by inclusion of appropriate permit conditions or changes in the operation plan protecting historic resources, or a documented decision that the Division has determined that no additional protection measures are necessary.	Yes
7. The Applicant has demonstrated that reclamation as required by the State Program can be accomplished according to information given in the permit application.	Yes
8. The Applicant has demonstrated that any existing structure will comply with the applicable performance standards of R645-301 and R645-302.	Yes
9. The Applicant has paid all reclamation fees from previous and existing coal mining and reclamation operations as required by 30 CFR Part 870.	Yes
10. The Applicant has satisfied the applicable requirements of R645-302.	NA
11. The Applicant has, if applicable, satisfied the requirements for approval of a long-term, intensive agricultural postmining land use, in accordance with the requirements of R645-301-353.400.	NA

SPECIAL CONDITIONS OR STIPULATIONS TO THE PERMIT AMENDMENT APPROVAL	YES	NO
1. Are there any variances associated with this permit amendment approval? If yes, attach.		X
2. Are there any special conditions associated with this permit amendment approval? If yes, attach. need to submit copies	X	
3. Are there any stipulations associated with this permit amendment approval? If yes, attach.		X

The Division hereby grants approval for Permit Amendment to the Existing Permit by incorporation of the proposed changes described herein and effective the date signed below. All other terms and conditions of the Existing Permit shall be maintained and in effect except as superseded by this Permit Amendment.

Signed Daron R. Haddock — Division of Oil, Gas and Mining

EFFECTIVE DATE 7/26/95