

BEFORE THE DIVISION OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH

---oo0oo---

IN THE MATTER OF CYPRUS PLATEAU MINING COMPANY PROPOSED WILLOW CREEK MINE, CARBON COUNTY, UTAH	: :	PUBLIC HEARING CAUSE NO. PRO/007/038
---	------------	---

---oo0oo---

THE STATE OF UTAH TO ALL PERSONS INTERESTED IN THE ABOVE-ENTITLED MATTER.

Notice is hereby given that the Division of Oil, Gas and Mining ("Division"), State of Utah, will conduct a Public Hearing on Thursday, May 11, 1995, at 3:00 p.m. in the Carbon County Courthouse, Carbon County Commission Chambers, 120 East Main, Price, Utah.

The Public Hearing will be conducted in accordance with the Utah Code Ann. § 40-10-24(4)(c), and Utah Administrative Code Rule R645-103-234 (1995).

Pursuant to Utah Code Ann. § 40-10-24(4)(c), Cyprus Plateau Mining ("Cyprus") has requested a public hearing regarding their plan to conduct coal mining operations within 100 feet, measured horizontally, of the outside right-of-way line of a public road, Highway 191, in Willow Creek Canyon, Carbon County, Utah.

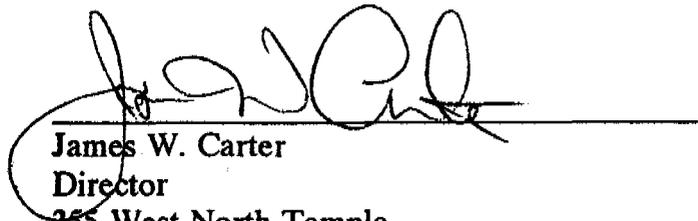
Persons interested in this matter may participate pursuant to Utah Administrative Code Rule R645-103-234. The request for public hearing, and any subsequent information, may be inspected in the office of the undersigned.

Pursuant to the Americans with Disabilities Act, persons requiring auxiliary communicative aids and services to enable them to participate in this hearing should call Janice Brown at 538-5340, at least three working days prior to the hearing date.

Page 2
Public Hearing
Cause No. PRO/007/038

DATED this 17th day of April, 1995.

STATE OF UTAH
DIVISION OF OIL, GAS AND MINING



James W. Carter
Director
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
(801) 538-5340

CYPRUS PLATEAU MINING COMPANY
WILLOW CREEK MINE
PRO/007/038

PUBLICATION OF NOTICE:

Newspaper Agency Corporation
Sun Advocate
Emery County Progress

Salt Lake City Office - Posted
Price Field Office - Posted
Carbon County Courthouse - Posted

CERTIFIED NOTICES SENT TO THE FOLLOWING:

Ben Grimes
Cyprus Plateau Mining Company
P. O. Drawer PMC
Price, Utah 84501

CERTIFIED NO. P. 074 977 558

NOTICES MAILED TO THE FOLLOWING:

THOMAS E EHMETT ACTING DIR
ALBUQUERQUE FIELD OFFICE
OFFICE OF SURFACE MINING R & E
505 MARQUETTE NW STE 1200
ALBUQUERQUE NM 87102

RICHARD E DAWES CHIEF
DIV OF FEDERAL PRGMS
OFFICE OF SURFACE MINING
1999 BROADWAY STE 3320
DENVER CO 80202-5733

MARK BAILEY AREA MNGR
PRICE RIVER RESOURCE AREA
BUREAU OF LAND MNGMNT
P O BOX AB
PRICE UT 84501

ALAN RABINOFF CHIEF
MINING LAW 7 SOLID MNRLS
BUREAU OF LAND MNGMNT
P O BOX 45155
SALT LAKE CITY UT 84145-0155

ROBERT D WILLIAMS ASST FLD
SUP
U S FISH & WILDLIFE SERV
ECO SERV
LINCOLN PLAZA
145 E 1300 S STE 404
SALT LAKE CITY UT 84115

AARON HOWE ACTING FRST SUP
U S FOREST SERV
MANTI-LASAL NTNL FRST
599 W PRICE RIVER RD
PRICE UT 84501

ROBERT MORGAN STATE ENGR
UTAH DIV OF WATER RIGHTS
DEPT OF NATURAL RESOURCES
CAPITOL MAIL

BRENT BRADFORD DPTY DIR
OFFICE OF THE EX DIR
DEPT OF ENVIR QULTY
CAPITOL MAIL

ROBERT VALENTINE DIR
UTAH DIV OF WILDLIFE RESOURCES
CAPITOL MAIL

MAX J EVANS DIR
UTAH DIV OF STATE HISTORY
CAPITOL MAIL

SCOTT HIRSCHI DIR
SCOOL & INSTNL TRUST LNDS ADM
CAPITOL MAIL

BILL HOWELL EX DIR
SOUTHEASTERN UTAH ASSOC
OF LOCAL GVRNMNTS
P O BOX 297
PRICE UT 84501

DAVID LEVANGER
CARBON CNTY PLNNG & ZNG
120 E MAIN
PRICE UT 84501

BRYANT ANDERSON
EMERY CNTY PLNNG & ZONING
P O BOX 297
CASTLE DALE UT 84513

RONALD P PARKIN
STATE MINE INSPECTOR
INDUSTRIAL COMM OF UT
COLLEGE OF EASTERN UT
451 E 400 N
PRICE UT 84501

CAROLYN B WRIGHT RESEARCH
ANALYST
OFFICE OF PLANNING & BUTGET
STATE PLANNING COORDINATOR
OFFICE
CAPITOL MAIL

MIKE SCHWINN DST ENGR
U S ARMY CORPS OF ENGINEERS
1403 S 600 W
BOUNTIFUL UT 84010

GARY L ROEDER
DISTRICT CONSERVATIONIST
U S SOIL CONSERVATION SERVICE
350 N 400 E
PRICE UT 84501

WILLIAM P YELLOWTAIL JR
REGIONAL ADMINISTRATOR
ENVIRONMENTAL PROTECTION
AGENCY
999 18TH ST
DENVER PL STE 500
DENVER CO 80202-2405

TED STEWART EX DIR
DEPARTMENT OF NATURAL
RESOURCES
BUILDING MAIL

DEPT OF TRANSPORTATION
PRICE DISTRICT
ROUTE 3 BOX 75C5
PRICE UT 84501-0903

DAVE D. LAURISKI CHAIRMAN
2115 E HUNTERS GLEN
LAYTON UT 840414



Post-It Fax Note	7671	Date	4/6/95	# of pages	2
To	Pam Littig	From	BEN GRIMES		
Co./Dept.		Co.			
Phone #		Phone #	626-2227		
Fax #		Fax #			

April 4, 1995

Utah Coal Regulatory Program
 Division of Oil, Gas and Mining
 355 West North Temple
 3 Triad Center, Suite 350
 Salt Lake City, Utah 84180-1203

By Facsimile

Dear Ms. Littig,

RE: PUBLIC HEARING REQUEST - R645-103-234, PUBLIC ROAD
 FOR PROPOSED WILLOW CREEK MINE

Copy Jim, Lowell
Copy of PRO 1007/038 #2
Copy Aaron, ~~Jack~~, Pam
Victie
Bailey, (FAX)

This letter is a request to the Division to call a hearing to comply with R645-103-234. This regulation requires approval for conducting mining operations within 100 feet measured horizontally of the outside right-of-way line of a public road. The exception [40-10-24(4)(c)] provided in the aforementioned regulation states:

(4) After August 3, 1977, and subject to valid existing rights, no surface coal mining operations, except those which exist on that date, shall be permitted:

(c) Within 100 feet of the outside right-of-way line of any public road, except where mine access roads or haulage roads join this right-of-way line and except that the division may permit these roads to be relocated or the area affected to lie within 100 feet of the road, if after public notice and opportunity for public hearing in the locality a written finding is made that the interests of the public and the landowners affected thereby will be protected; or

Cyprus Plateau Mining Company is planning to conduct coal mining operations within 100 feet of the outside right-of-way line of Highway 191 in Willow Creek Canyon consisting of a Willow Creek Stream relocation section approximately 270 feet long, a Willow Creek Stream relocation section approximately 450 feet long, an office trailer building, and a section of mine access road approximately 750 feet long. In addition, three access roads joining the highway are planned, two for mine access and one ancillary road for access to mine water storage tanks.

Ben Grimes
Page 2
April 4, 1995

We request the hearing be held in Price as soon as practicable but, before May 15, 1995. After the hearing, the Division will make findings as per R645-103-234.400.

I have been discussing the new mine project with personnel from the UDOT office in Price for the past year. According to R645-103234.100 the applicant (Cyprus) is required "... to obtain necessary approvals from the authority with the jurisdiction over the public road." Driveway applications will be submitted to UDOT in the near future to cover the entrances to the mine site. These driveway permits will constitute the necessary UDOT approvals.

Please let me know as soon as possible what maps or plans are needed for the hearing.

Respectfully,

Ben Grimes
Project Manager

cc: J. Borla
G. Walker

File: WCENG 12.14
Chron: BG950403



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)

PUBLIC HEARING
ACT 1007/035

April 17, 1995

Sun Advocate
Emery County Progress
76 West Main
P. O. Box 870
Price, Utah 84501

Gentlemen:

Re: Notice of Public Hearing

Attached is a notice of Public Hearing from the Division of Oil, Gas and Mining, Department of Natural Resources, State of Utah.

It is requested that this notice be published **ONCE ONLY** as soon as possible, but no later than Thursday the 27th day of April, 1995, in both the Sun Advocate and Emery County Progress. In the event that said notice cannot be published by this date, please notify me immediately by calling 538-5340.

Upon completion of this request, please send proof of publication and statement of cost to the Division of Oil, Gas and Mining, 355 West North Temple, 3 Triad Center, Suite 350, Salt Lake City, Utah 84180-1203.

Sincerely,

Victoria A. Bailey
Executive Secretary

vb
Attachment





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)

ACT/007/038

April 17, 1995

Newspaper Agency Corporation
Legal Advertising
143 South Main
P. O. Box 45838
Salt Lake City, Utah 84145

Gentlemen:

Re: Notice of Public Hearing

Attached is a notice of Public Hearing from the Division of Oil, Gas and Mining, Department of Natural Resources, State of Utah.

It is requested that this notice be published ONCE ONLY as soon as possible, but no later than Wednesday, the 26th day of April, 1995. In the event that said notice cannot be published by this date, please notify me immediately by calling 538-5340.

Upon completion of this request, please send proof of publication and statement of cost to the Division of Oil, Gas and Mining, 355 West North Temple, 3 Triad Center, Suite 350, Salt Lake City, Utah 84180-1203.

Sincerely,

Victoria A. Bailey
Executive Secretary

vb
Attachment

