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STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

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May 2, 1985

CERTIFIED RETURN RECEIPT REQUESTED
(P402 457 130)

Mr. Walter Mueller, Jr.
Vice President
Plateau Mining Company
P. O. Drawer PMC
Price, Utah 84501

Dear Mr. Mueller:

RE: Final Approval of Application for MRP Incidental Boundary Change Amendment, Unit Train Loadout Facility, Plateau Mining Company, Star Point Mines, ACT/007/006, #3 & 4, Carbon County, Utah

The Division has completed the review of Plateau Mining Company's (PMC) recent (received April 26, 1985) submission entitled, "Response to Conditions - Incidental Boundary Change Revision, Unit Train Loadout Facility". The submittal addresses the remaining deficiencies which were attached as conditions to the Division's April 19, 1985 conditional approval for the MRP Incidental Boundary Change Amendment application.

The responses provided are adequate to address the Division's concerns and PMC is hereby granted final Division approval to proceed with the proposed changes.

For the purposes of clarification and mutual understanding between the Division and PMC, the following statements are provided which address final resolution to this permitting activity:

1. Condition 4-17-85-4-(1)-DWH - The Bureau of Air Quality is currently reviewing the Notice of Intent for this proposal. PMC will provide a copy of the approval order to the Division as soon as it becomes available.

2. Condition 4-17-85-7-(1)-RH - PMC is currently updating the reclamation bond to include the change in the Unit Train Project with an escalation factor to bring it up to 1986 dollars. This will be submitted by the June 1, 1985 deadline to the Division as required by this condition.

3. Condition 4-17-85-8-(1)-RS - This condition had required Plateau to provide plans for sediment control from the outslopes of the access road leading to the silo area. PMC has only included a 20-foot section (width) of the access/maintenance road previously constructed by the Utah Railway to be included as part of this incidental boundary change permit application.

The road was constructed by Utah Railway pursuant to a right-of-way permit issued by the BLM to the railroad (SL-015794). The outslopes of the road were hydromulched and reseeded by the Utah Railway as part of their BLM right-of-way agreement last fall. PMC has entered into an agreement and obtained a license from Utah Railway to use this road for mine related activities. PMC will be responsible for maintaining the surface of the road accessing the Unit Train loadout/silo area until termination of mining operations.

It is PMC's contention that they should not be held accountable for providing interim stabilization and erosion control measures for the outslopes unless their mine related activities have a direct impact on the same.

On May 1, 1985, Division technical staff members visited the Unit Train site location to observe the status of the access road outslope revegetation efforts to date. The railroad grade was being raised to design specifications and a few areas of the present access road outslopes had been impacted by sidecast materials. Mr. John Rosner of PMC indicated that any impacted areas to the outslopes caused by the ongoing construction activities would be reseeded by PMC.

The Division supports PMC's position and is hereby amending Condition 4-17-85-8-(1)-RS to remove the requirement to provide interim erosion control for the outslopes of this access road. However, PMC will be held responsible for correcting any impacts to the outslopes of the access road which are a direct result of PMC's construction activities, or from PMC's future use and maintenance of the road surface (i.e., breached berms, grading of sidecast materials onto outslopes, etc.).

The Division requests that PMC provide an additional seven (7) copies of the latest submittal (April 26th response) to the Office of Surface Mining in Denver. These copies are necessary to update all copies of the permit applications on file with appropriate federal agencies. If copies are sent directly to the OSM, please send a copy of the transmittal letter to this office for reference.

The Division appreciates the expeditious response and continued cooperation which Plateau Mining Company has extended to the Division during this review process. Should you have questions or comments please contact me or D. Wayne Hedberg of the permitting staff.

Sincerely,

Lowell P. Braxton
Administrator
Mineral Resource Development
and Reclamation Program

REVIEW CHRONOLOGY:

A. Operator Submittals
1. March 5, 1985
2. April 26, 1985

B. DOGM Responses
1. April 19, 1985
2. May 2, 1985

DWH:dwh
cc: Allen Klein
Walt Swain
Ron Daniels
Joe Helfrich
Bart Kale
Sue Linner
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