

**CYPRUS-PLATEAU MINING CORP.**

An Affiliate of Cyprus Coal Company
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DIVISION OF
OIL, GAS & MINING

January 7, 1988

Mr. Tom Munson
Division of Oil, Gas & Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

Re: **Sediment Pond No. 9**

Dear Mr. Munson:

Some time ago, Marv Allen called you regarding not completing sediment pond No. 9. This letter is to follow up on that conversation.

We pushed construction of the pond through cold and snowy conditions to get the pond to a useable state. Things went well and the pond is now in place with outlet pipes, riprap and inlet ditches. The only part of the pond not completed is the clay liner.

As it turned out, the entire bottom of the pond is in natural soil. The sides were excavated in refuse which was placed and compacted years ago. The only area where embankment fill was required was in the southeast corner.

Because of cold weather, we were unable to achieve compaction of the clay liner material. Ice crystals formed in the clay material faster than we could compact it. When this happens, the required compaction density is impossible to achieve.

In confirmation of your verbal agreement, we are submitting this letter to inform the Division of our intention to use the pond as-is until the clay liner can be installed. Warm weather will allow us to achieve compaction. We will have the clay liner installed by June 15, weather permitting.

The Design Engineer (Marv Allen) agreed that using the pond in its present condition will create no stability or other problems. Since the pond is essentially an incised pond with a small embankment, there is virtually no chance of failure. Because of the time of year and low runoff potential, the pond probably will not fill anyway.

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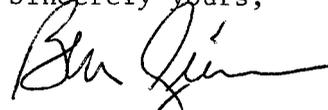
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As added insurance, we will concentrate on filling the outslope side of the small embankment area with refuse. This will further stabilize the pond and reduce the risk of embankment failure.

Following placement of the clay liner, the pond will be certified.

Thank you for your help on this matter.

Sincerely yours,



Ben Grimes
Sr. Environmental Engineer

BG:sd

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