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CYPRUS
Plateau Mining

An Affiliate of Cyprus Coal Company
P.O. Drawer PMC
Price, Utah 84501
(801) 637-2875

March 8, 1989

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DIVISION OF
OIL, GAS & MINING

Mr. Lowell Braxton
Utah Division of Oil, Gas and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, UT 84180-1203

Re: Refuse Pile Selenium Monitoring Plan

Dear Mr. Braxton:

On Friday, March 24, 1989, James Leatherwood and Henry Sauer of your staff met with CPMC's consultant, Kent Crofts, to discuss the outstanding issues relative to Stipulation 817.71-74. The purpose of this letter will be to summarize our understanding of the discussions held and outline the areas where agreement was reached regarding these stipulations.

Item 3, Sample Location Map

Map 39 Sheet 6, Disturbed Area Soils Map, has been revised to show the location of the refuse pile samples used to characterize these materials. Six copies of this revised map are enclosed.

Items 3a-d, Vegetation and Soils Monitoring of the Refuse Materials

Cyprus Plateau proposed to conduct a baseline selenium sampling program during the end of May or first of June 1989. This program is specifically outlined on pages 3-6 of the April 27, 1988, submittal made to the Division. All of the specifics outlined in that proposal will be utilized with the following exceptions: at each site where vegetation samples are collected, soil or refuse materials will be sampled at the 0-6 inch, 6-18 inch, and 18-36 inch intervals. These samples will be analyzed only for water soluble selenium content. During the data analysis, statistical correlation will be used to determine whether or not plant selenium levels can be correlated with soil selenium levels. These data will be presented to the Division concurrently with the results of the selenium monitoring program outlined in our previous submittal. It is our understanding that with this modification the proposed baseline monitoring program adequately addresses the concerns of the Division. We would request that the Division send confirmation whether or not Cyprus Plateau's proposed baseline monitoring program will be adequate with these modifications.

We have previously acknowledged on several occasions that it is our intention of providing adequate documentation to the Division that the proposed sampling being suggested by the Division at the time of final reclamation is unnecessary. We would

like to stress that, for the past 18 years, Plateau has generated refuse materials similar to those that will be encountered at the time of final reclamation. Our characterization efforts of refuse materials constitute the most comprehensive evaluation that has ever been conducted on refuse materials in Utah. We are particularly disappointed by what we feel is the Division's reluctance to objectively evaluate these data and a continuation of belief that these materials are inferior, acidic, or toxic-forming materials. We are particularly disappointed that our proposed monitoring plan submitted on April 27, 1988, and reviewed on September 29, 1988, was deemed inadequate without explanation as to what the deficiencies were. Therefore, Cyprus Plateau respectfully requests that the Division provide documentation as to why the previously collected refuse data are deficient and an explanation of how the collection of data at the time of final reclamation will yield data that have or can not be addressed by the previously collected data.

It is Cyprus Plateau's intention of implementing the baseline sampling program described in this report early during the 1989 growing season when it has been documented that plant elemental concentrations are known to be their highest. Therefore, it is hoped that the Division can review this material and provide Cyprus Plateau with sufficient time to respond to any Division concerns and obtain the necessary approval prior to the end of May. In the event that the Division has additional questions or concerns about this issue, we would be most happy to answer them.

Respectfully,

Ben Grimes
Sr. Environmental Engineer

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Enclosures

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