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file ACT/007/006
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An Affiliate of Cyprus Coal Company
P.O. Drawer PMC
Price, Utah 84501
(801) 637-2875

January 5, 1989

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

DIVISION OF
OIL, GAS & MINING

Re: Amendment - ACT/007/006-88D

Dear Mr. Whitehead:

In response to your letter dated December 27, 1988, and the attached memo from Richard V. Smith dated December 20, 1988, we have reviewed the recommendations on page 4 of the memo.

We are in agreement with the recommendations and feel that they are compatible with the commitments we have previously included in the PAP. Page 784-62e of the PAP has been revised to include Division recommendations, and is included for your review.

As mining in Longwall Panel LW009 is rapidly approaching the restricted zone, we urge the Division to finalize approval of this amendment to prevent delays in the mining schedule.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Ben Grimes'.

Ben Grimes
Sr. Environmental Engineer

/kam

Enclosure

Chrono: BG890101

File: ENV 4-1-3

Visual and stream monitoring will document stream flow and stream channel conditions.

CPMC has negotiated a mitigation plan, which has been accepted by U.S. Fuel Company, for potential replacement of water lost due to mining beneath the North Fork of the Right Fork of Miller Creek. This agreement is available as Exhibit 43, Water Rights Mitigation Plan. U.S. Fuel Company holds the only water right in this stream reach.

The mitigation plan includes drilling a lateral borehole to the stream channel from the mine and providing a drainage conduit to discharge water that may be intercepted by subsidence cracks. If the streamflow is reduced by more than 50 percent for more than 30 days, inflow from the NFRF Miller Creek will be returned via the borehole to the stream channel. Drilling will commence within one week after the 30 day limit has elapsed. An application for a discharge point under the NPDES program will be submitted for the borehole discharge.

Upon stabilization of the ground surface and when the area is safe for human activity, the channel restoration work discussed previously will be implemented. Upon successfully sealing the surface cracks, the lateral borehole will be sealed with a cement plug.