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# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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File ACT 007/006 #2

**TO:** Pamela Grubaugh-Littig, Permit Supervisor

**FROM:** Wm. J. Malencik, Reclamation Specialist *WJM/Dr. 11/8/91*

**RE:** Completeness Review, Cypress Plateau Mining Corp., Star Point Mine, ACT/007/006

A Completeness Review has been performed by the undersigned. The scope of the review includes a permit renewal and the addition of the Castle Valley Ridge lease. The permittee made a comprehensive application and all required documents have been included except as noted herein. Also, comments are included on other items that are beyond a completeness review that came to my attention. Comments and deficiencies are as follows:

R614-300- Coal Mine Permitting Administrative Procedures

121.200 -- No documentation that a copy of the application has been sent to the court house for public review.

R614-301-100. General Contents

118 -- Statement made that all fees have been paid, however, application contains no other documentation.

130 -- Reporting source of technical data, lists Susan White with Native Plant Firm.

150 -- No statement made on special mining categories or as not being applicable.

R614-301-200. Soils

234 -- Topsoil protection measures not specified.

R614-301-300. Biology

323 -- No mention of measures or facilities to protect wildlife. Measures employed are covered in other portions of the application.

- 332 -- No information was included on impacts of subsidence, and no cross references were provided.
- 340 -- Statement made that highwalls would be reduced, however, no identification or discussion of pre and post SMCRA highwalls (next to last paragraph page 300-121).
- R614-301-400. Land Use, Air Quality
- 412.120 -- No range management or grazing plan.
- R614-301-500. Engineering
- 512 -- Does not address each required map specified in this part or where found.
- 513 -- Does not list MSHA permitted items such as refuse pile, etc.
- 514 -- Inspections covered quarterly requirement, but does not mention construction and annual inspection and certifications.
- 527.100 -- Statement made that the spur rail line to the coal silo is owned by Utah Railway. The main line is, but question the spur line. Suggest that the permittee provide documentation that the spur line is controlled by Utah Railway.
- 527.110 -- The permittee did not classify in the text each road within the permit area. The text discussed the mine access, silo and the transfer tower roads. The certified maps show cross sections on roads A through K. The map and map legend show secondary roads and primary roads. All primary roads and ancillary roads should be discussed and classified in the text.

- 533 -- No mention of three impoundments associated with wash plant, nor shown on maps including as built. Mention Division variance approval August 16, 1983 on treatment facility #1 (looks like a pond, and is called Pond #1 on hydrology map). Also Sediment Ponds #3 and #5 proposed for variance ie, language in the application even such ponds have been the subject of previous written correspondence between the Division and the Permittee. Confusing language needs to be cleaned up. The single question that needs to be answered: Are variances permissible under the current Utah regulations and if not, should this matter be reopened at this time?
- 552 -- Reclamation plan states highwalls would be partially retained (see 300.340 comments herein).

R614-301-700. Hydrology

- 742.126 -- No mention that mine water is treated in underground sumps. Mine water that goes to the mine wash plant has an overflow that discharges into a ditch and then into the undisturbed drainage common to sediment Pond #2. No UPDES permit. Request permittee to comment on this alleged deficiency.
- 742.240 -- Eleven ASCA areas have been listed in this paragraph and also as being small area exemptions. All disturbed areas that do not drain to sediment ponds have been approved as alternative sediment control. There are no

areas that have heretofore been approved as SAE that require no controls. Therefore there are no exemption areas, and the application should be corrected.

742.311 -- Variances have heretofore been granted on ditches 51, 57, and 58 as noted on the application. Also, correspondence in the file indicates a variance has been approved on previous ditch 7E that lies below ditch 7D. Question what has happened to ditch 7E. Has it been reclaimed as part of the construction of Pond #9? This needs to be clarified.

747.100 -- Non-Coal Mine Waste is not shown on a map. Regulations require it to be in a designated area. Suggest non-coal waste areas be shown on the surface facilities map.

R614-301-800. Bonding and Insurance

890 -- Certificate of insurance contains the unacceptable statement that the issuing company will endeavor to notify the Division, etc.

Exhibits

Several exhibits are not included with the application. The application contains the following statement, "Because of limited availability and/or reproducible quality of this exhibit, it is requested that exhibit \_\_\_\_\_ be removed from the 1986 permit submittal and inserted herein." While this seems like a reasonable request, interagencies that do not maintain a complete plan will not have such exhibits to review. Perhaps a two-fold note would correct the problem:

- (1) To the permittee that such limited availability of missing exhibits be included in the application retained at the court house; and
- (2) To interagency that copy of the missing exhibits could be reviewed at the court house, should they not have a copy of the previous plan.