

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

- Print your name, address and ZIP Code in the space below.
- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



PENALTY FOR PRIVATE USE, \$300

RETURN TO

Print Sender's name, address, and ZIP Code in the space below.

NATURAL RESOURCES  
 OFFICE OF MINING  
 TRIAD CENTER, SUITE 350  
 SALT LAKE CITY, UTAH 84180-1802

9. Save this receipt and present it if you make inquiry. U.S.G.P.O. 1988-217-132

5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.

4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse RESTRICTED DELIVERY on the front of the article.

3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article RETURN RECEIPT REQUESTED adjacent to the number.

2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier. (no extra charge)

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE. CERTIFIED MAIL FEE AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (See front)

0012

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional service(s) requested.

1.  Show to whom delivered, date, and addressee's address. (Extra charge)

2.  Restricted Delivery (Extra charge)

3. Article Addressed to: BEN GRIMES, PLATEAU MINING CO, PO DRAWER PMC, PRICE UT 84501

4. Article Number: P 074 979 134

Type of Service:  Registered,  Certified,  Express Mail,  Insured,  COD,  Return Receipt for Merchandise

5. Signature - Address: [Signature]

6. Signature - Agent: [Signature]

7. Date of Delivery: OCT 1 1991

8. Addressee's Address (ONLY if requested and fee paid): BEN GRIMES, PLATEAU MINING CO, PO DRAWER PMC, PRICE UT 84501

PS Form 3811, Mar. 1988 \* U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT ACT 007/006-DO-91A MODIFIED #3

PS Form 3800, June 1985	Postmark of Date	TOTAL Postage and Fees	Return Receipt showing to whom, Date, and Address of Delivery	Return Receipt showing to whom and Date Delivered	Restricted Delivery Fee	Special Delivery Fee	Certified Fee	Postage	P.O. State and Zip Code	Street and No.	Sent to
	OCT 2 1991	\$2.52		1.00			1.80	52	PRICE UT 84501	PLATEAU MINING CO	BEN GRIMES

RECEIPT FOR CERTIFIED MAIL P 074 979 134  
 NO INSURANCE COVERAGE PROVIDED NOT FOR INTERNATIONAL MAIL (See Reverse)

DOGM ACT/007/006-DO-91A JBE (MODIFIED) #3



# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

Norman H. Bangerter  
Governor  
Dee C. Hansen  
Executive Director  
Dianne R. Nielson, Ph.D.  
Division Director

355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203  
801-538-5340

September 30, 1991

CERTIFIED RETURN RECEIPT  
P 074 979 134

Mr. Ben Grimes  
Plateau Mining Company  
P. O. Drawer PMC  
Price, Utah 84501

*Ben*

Dear Mr. Grimes:

Re: Division Order (Modified 9/25/91), Cyprus-Plateau Mining Company, Star Point Mines, ACT/007/006-DO-91A, Folder #3, Emery County, Utah

Enclosed please find a Division Order and Finding of Permit Deficiency for the Star Point Mines. If in your review of this Order you have any questions, please call me or Pamela Grubaugh-Littig.

Sincerely,

*Lowell*

Lowell P. Braxton  
Associate Director, Mining

jbe  
Enclosure  
cc: Pamela Grubaugh-Littig  
Joe Helfrich  
Tom Munson  
Bill Malencik  
Henry Sauer  
AT007006.91A

STATE OF UTAH  
DIVISION OF OIL, GAS AND MINING

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PERMITTEE

Ben Grimes  
Star Point Mine  
Cyprus-Plateau Mining Company  
P.O. Drawer PMC  
Price, Utah 84501

ORDER & FINDINGS  
of  
PERMIT DEFICIENCY

Modified 9/25/91

PERMIT NUMBER ACT/007/006  
DIVISION ORDER # DO-91A

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PURSUANT to R614-303-212, the DIVISION ORDERS the PERMITTEE, Cyprus-Plateau Mining Company, to make the permit changes enumerated in the findings of permit deficiency in order to be in compliance with the State Coal Program. These findings of permit deficiency are to be remedied in accordance with R614-303-220.

**Findings of Permit Deficiency**

Regulation Citation

- | <u>Regulation Citation</u> |  |
|----------------------------|--|
| 742.220                    | <b>Sedimentation Ponds</b>   |
| 742.221.                   | Sedimentation ponds, when used, will:  |
| 742.221.1.                 | Be used individually or in series;   |
| 742.221.2.                 | Be located as near as possible to the disturbed area and out of perennial streams unless approved by the Division; and |
| 742.221.3.                 | Be designed, constructed, and maintained to:   |
| 742.221.31.                | Provide adequate sediment storage volume;  |
| 742.221.32.                | Provide adequate detention time to allow the effluent from the ponds to meet Utah and federal effluent limitations;    |

- 742.221.33. Contain or treat the 10-year, 24-hour precipitation event ("design event") unless a lesser design event is approved by the Division based on terrain, climate, or other site-specific conditions and on a demonstration by the operator that the effluent limitations of R614-301-751 will be met;
- 742.221.34. Provide a nonclogging dewatering device adequate to maintain the detention time required under R614-301-742.221.32.
- 742.221.35. Minimize, to the extent possible, short circuiting;
- 742.221.36. Provide periodic sediment removal sufficient to maintain adequate volume for the design event;
- 742.221.37. Ensure against excessive settlement;
- 742.221.38. Be free of sod, large roots, frozen soil, and acid- or toxic forming coal-processing waste; and
- 742.221.39. Be compacted properly.
- 742.222. Sedimentation ponds meeting the size or other qualifying criteria of the MSHA, 30 CFR 77.216(a) will comply with all the requirements of that section, and will have principal and emergency spillways that in combination will safely pass a 100-year, 6-hour precipitation event.
- 742.223. Sedimentation ponds not meeting the size or other qualifying criteria of the MSHA, 30 CFR 77.216(a) will provide a combination of principal and emergency spillways that will safely discharge a 25-year, 6-hour precipitation event. Such ponds may use a single spillway if the spillway is:
- 742.223.1. An open channel of nonerodible construction and capable of maintaining sustained flows; and
- 742.223.2. Not earth- or grass-lined.

### **743. Impoundments**

- 743.100. General Requirements. The requirements of R614-301-743 apply to both temporary and permanent impoundments.
- 743.110. Impoundments meeting the criteria of the MSHA, 30 CFR 77.216(a) will comply with the requirements of 77.216 and R614-301-512.240, R614-301-514.300, R614-301-515.200, R614-301-533.100 through R614-301-533.600, R614-301-733.220 through R614-301-733.224, and R614-301-743. The plan required to be submitted to the District Manager of MSHA under 30 CFR 77.216 will also be submitted to the Division as part of the permit application.
- 743.120. The design of impoundments will be prepared and certified as described under R614-301-512. Impoundments will have adequate freeboard to resist overtopping by waves and by sudden increases in storage volume.
- 743.130. Impoundments will include a combination of principal and emergency spillways which will be designed and constructed to safely pass the design precipitation event specified in R614-301-743.200 or R614-301-743.300.
- 743.140. Impoundments will be inspected as described under R614-301-514.300.
- 743.200. The design precipitation event for the spillways for a permanent impoundment will be a 50-year, 6-hour precipitation event, or such larger event as the Division may require.
- 743.300. The design precipitation event for the spillways for a temporary impoundment is a 25-year, 6-hour precipitation event, or such larger event as demonstrated to be needed by the Division.

### **744. Discharge Structures**

- 744.100. Discharge from sedimentation ponds, permanent and temporary impoundments, coal processing waste dams and embankments, and diversions will be controlled, by energy dissipators, riprap channels and other devices,

where necessary to reduce erosion to prevent deepening or enlargement of stream channels, and to minimize disturbance of the hydrologic balance.

744.200. Discharge structures will be designed according to standard engineering design procedures.

Permit Deficiency

The impoundments and sediment ponds, as they exist currently, do not have the appropriate spillways and decanting systems to pass the design precipitation event.

Information required to be submitted

The operator must submit plans to rebuild the sediment ponds and impoundments to meet the requirements of the rules.

Order

Cyprus-Plateau Mining Company is ordered to make the requisite permit changes in accordance with R614-303.220, and to submit a complete application for permit change to address the findings of permit deficiency within 30 days of receipt of this order. Approval by the Division must be obtained within 60 days of receipt of this order. All approvals not obtained within 60 days may result in a hindrance violation unless a request for extension has been obtained by the Director.

Ordered this 30th day of September, 1991, by the Division of Oil, Gas and Mining.



Dianne R. Nielson, Director  
Division of Oil, Gas and Mining