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Division Director

State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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September 23, 1991

hand delivered by Tom Munson on 9/24/91

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

Dear Mr. Grimes:

Re: Division Order, 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 P. Braxton

Lowell P. Braxton
Associate Director, Mining

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

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STATE OF UTAH
DIVISION OF OIL, GAS AND MINING

PERMITTEE	
Ben Grimes Star Point Mine Cyprus-Plateau Mining Company P.O. Drawer PMC Price, Utah 84501	ORDER & FINDINGS of PERMIT DEFICIENCY
PERMIT NUMBER ACT/007/006 DIVISION ORDER # DO-91A	

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

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, as they exist currently, do not have the appropriate spillways 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 23rd day of September, 1991, by the Division of Oil, Gas and Mining.

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

jbe
cc: Tom Mitchell
Joe Helfrich
DIVISORD.FIN