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State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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November 27, 1995

John Pappas  
Sr Environmental Engineer  
Cyprus Plateau Mining Corp  
PO Drawer PMC  
Price, Utah 84501

RE: Diversion Amendment Application, Starpoint Mine, Cyprus Plateau Mining Corporation, ACT/007/006-95B, Folder #3, Carbon County, Utah

Dear Mr. Pappas:

The aforementioned amendment is approved effective November 27, 1995. The approval is based on the information you submitted together with the regulatory findings cited below.

Followup Action By Permittee

Within 30 days after this project is completed, please submit to the Division of Oil, Gas, and Mining, Price Field Office:

- 1) Copies of a certified updated surface water and sedimentation control facilities maps 731.720a, 731.720b, and 731.720e.
- 2) MRP pages 700-171 through 171-171.1, 700-119 through 700-126.1, pages 700-128 through 170-135.1 and addendum to exhibit 732.300B.

We in turn will make the appropriate distribution of the complete package after construction to responsible parties, including our DOGM Salt Lake Office.

Project Description

In summary, the key features of this project are as follows:

Disturbed Runoff Conveyance Systems. The instant amendment application involves 11 ditches and 5 culverts that are all short segments of existing approved runoff conveyance system with one exception.

The majority of the items are currently in place and are the outgrowth of violations wherein the MRP has not been updated. Culvert extension UTA16A is the exception and it is scheduled for construction after approval. Therefore, this amendment does two things: (1) updates the MRP records on items approved in the past as abatement measures and not currently reflected in the MRP record/maps and (2) approves a culvert extension the permittee applied for that is needed to improve the runoff conveyance system with in the existing disturbed area.

On the matter of the half round mentioned in the transmittal letter, the permittee as an after thought stated this item would be considered as part of the slide mitigation plan and covered in a separate submission. Therefore, it is not included in the instant approval and was not included as part of the formal amendment application.

### Findings

- (1) The applicant submitted a complete and accurate amendment application.
- (2) DOGM PERMIT STATUS. The addition lies within the current permit.
- (3) ACTIVE MINE. The area is included in an active approved coal mining and reclamation operation, is within the existing disturbed area. Sediment ponds and other control measures have heretofore been approved by the Division for treating runoff from the project areas. The backbone drainage system remains as currently approved by DOGM. The additions described are minor items within the existing system.
- (4) LAND STATUS. The diversions additions approved herein lie on permittees patented land with the exception of culvert extension UT16A. UT16A involves US Government land administered by the Bureau of Land Management.
- (5) COORDINATION WITH OTHERS. The only agency that has been contacted is BLM. The reasons are as follows:

- (a) One culvert extension involves US Government land under the administration of BLM. The balance of the projects are on permittees fee land. Area Manager, Mark Bailey, had no problem concurring with the permittees culvert extension.
  - (b) The ditches and culverts included in the amendment do not impact lands controlled by others, other than culvert extension UT16A.
  - (c) All items included in the amendment lie within the existing approved disturbed area.
  - (d) The drainage from the diversions all report to existing sediment ponds.
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- (6) IMPACTS. The project does not have an adverse impact to hydrologic balance, nor does it involve any existing critical habitat.
  - (7) DESIGN. Design information is provided in tabular form and is consistent with the current approved format for the Starpoint mine. Other supporting information is included as part of the amendment package. The designs are consistent with the Utah Coal Rules for miscellaneous flow and meet the 10 year 6 hour storm event. Ditches 9e, 16ba, 16ea, and 44a have and require erosion protection as shown in the approved designs.
  - (8) MAINTENANCE. The current MRP contains a commitment on maintaining diversions. The diversions described herein are hereby governed by the MRP commitments and the Utah Coal Rules as related to maintenance.
  - (9) RECLAMATION AND BONDING. The ditches and culverts described in the application will not result in increase reclamation costs. Therefore, no increase in bonding is required. The backbone water conveyance system have heretofore been included in the reclamation costs and reflected in the surety bond. Therefore, the minor additions will not increase the reclamation costs as related to demolition, backfilling and grading, topsoiling, drainage system, runoff treatment, and seeding.

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- (10) RECORD UPDATE. The technical analysis is updated. Your amendment, as previously stated, has been approved. Within 30 days after the construction has been completed, you must submit documents identified in the "Followup" on page 1 of this letter. Fourteen copies are required to be submitted to the Price Field office. As previously noted, I will distribute copies to the responsible parties.

Sincerely,



Wm. J. Malencik  
Reclamation Specialist

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Enclosure

cc: James Fulton, OSM, Denver  
Mark Bailey, BLM, Price  
Janette Kaiser, USFS, Manti-LaSal  
Mark Page, DWR, Price  
Dave Ariotti, DEQ, Price  
Bill Bates, DWR, Price  
Pam Grubaugh-Littig, DOGM, SLC  
Joe Helfrich, DOGM, SLC w/o enc