

0014



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

Michael O. Leavitt
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Executive Director
Lowell P. Braxton
Division Director

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Salt Lake City, Utah 84114-5801
801-538-5340
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July 6, 1999

CERTIFIED RETURN RECEIPT
P 074 978 529

Johnny Pappas, Senior Environmental Engineer
Cyprus Plateau Mining Company
847 Northwest Highway 191
Helper, Utah 84501

Re: Division Order to Update the PHC with Respect to Abandonment of Machinery, Cyprus Plateau Mining Company, Star Point Mine, ACT/007/006-DO99A, File #3, Carbon County, Utah

Johnny
Dear Mr. Pappas:

The Division has completed a review of the Star Point Mining and Reclamation Plan (MRP) and have found it deficient with respect an inadequate PHC in relation to the abandonment of mining machinery. Pursuant to R645-301-212, the Division has prepared the attached order to correct the deficiency. Our staff has had previous correspondence with you regarding this issue and we feel that it can be resolved to everyone's satisfaction.

We would be happy to help you with any questions that may arise. Should you desire further discussion or clarification please call Daron Haddock at (801)538-5325.

Sincerely,

A handwritten signature in cursive script that reads "Lowell".

Lowell P. Braxton
Director

tam
Enclosure

cc: Mary Ann Wright
Daron Haddock
Price Field Office

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STATE OF UTAH
DIVISION OF OIL, GAS AND MINING

PERMITTEE

Cyprus Plateau Mining Corporation

Johnny Pappas, Sr. Environmental Eng.
847 Northwest Highway 191
Helper, Utah 84526

PERMIT NUMBER ACT/007/006
DIVISION ORDER # 99A

ORDER & FINDINGS
OF
PERMIT DEFICIENCY

PURSUANT to R645-303-212, the DIVISION ORDERS the PERMITTEE, Cyprus Plateau Mining Corporation, to make the requisite permit changes enumerated in the findings of Permit Deficiency in order to be in compliance with the State Coal Program. These findings are to be remedied in accordance with R645-303-220.

FINDINGS OF PERMIT DEFICIENCY

A review of the current Mining and Reclamation Plan and recent correspondence for the Star Point Mine have identified an activity at the mine that has not been adequately addressed or described in the Mining and Reclamation Plan.

The abandonment of Mining Machinery underground has occurred without providing adequate documentation for this activity. The Division has been notified that a longwall machine has been left underground even though there are no provisions in the approved mining and reclamation plan to do this and there is no analysis in the plan describing the probable hydrologic consequences of this activity.

INFORMATION REQUIRED TO BE SUBMITTED BY REGULATION CITED

R645-301-

728. Probable Hydrologic Consequences (PHC) Determination.

728.100. The permit application will contain a determination of the PHC of the proposed coal mining and reclamation operation upon the quality and quantity of surface and ground water under seasonal flow conditions for the proposed permit and adjacent areas.

728.200. The PHC determination will be based on baseline hydrologic, geologic and other information collected for the permit application and may include data statistically representative of the site.

- 728.300. *The PHC determination will include findings on:*
- 728.310. *Whether adverse impacts may occur to the hydrologic balance;*
- 728.320. *Whether acid-forming or toxic-forming materials are present that could result in the contamination of surface- or ground-water supplies;*
- 728.330. *What impact the proposed coal mining and reclamation operation will have on:*
- 728.331. *Sediment yield from the disturbed area;*
- 728.332. *Acidity, total suspended and dissolved solids and other important water quality parameters of local impact;*
- 728.333. *Flooding or streamflow alteration;*
- 728.334. *Ground-water and surface-water availability; and*
- 728.335. *Other characteristics as required by the Division;*
- 747.100. *Noncoal mine waste, including but not limited to grease, lubricants, paints, flammable liquids, garbage, machinery, lumber and other combustible materials generated during coal mining and reclamation operations will be placed and stored in a controlled manner in a designated portion of the permit area or state-approved solid waste disposal area.*
- 747.200. *Placement and storage of noncoal mine waste within the permit area will ensure that leachate and surface runoff do not degrade surface or ground water.*
- 747.300. *Final disposal of noncoal mine waste within the permit area will ensure that leachate and drainage does not degrade surface or underground water.*
750. *Performance Standards.*
All coal mining and reclamation operations will be conducted to minimize disturbance to the hydrologic balance within the permit and adjacent areas, to prevent material damage to the hydrologic balance outside the permit area and support approved postmining land uses in accordance with the terms and conditions of the approved permit and the performance standards of R645-301 and R645-302.

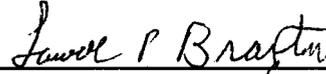
— Cyprus Plateau Mining Corporation must provide the following documentation in accordance with the above-cited regulations to be incorporated into the Mining and Reclamation Plan, for the abandonment of Mining Machinery underground:

1. A map designating the final disposal location of the abandoned mining machinery.
2. A description of the equipment or machinery being abandoned and its condition upon abandonment.
3. A revised PHC which discusses the abandonment of the mining machinery and describes the potential for any hydrologic impacts as a result of the abandonment.

ORDER

Cyprus Plateau Mining Corporation is ordered to make the requisite permit submittal, in accordance with R645-303-220 and to submit a complete and adequate application for permit change to address this finding of permit deficiency within 30 days of the date of receipt of this Order.

Ordered this 30th day of June, 1999, by the Division of Oil, Gas, and Mining.



**Lowell Braxton, Director
Division of Oil, Gas and Mining**

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.

RECEIVED
 JUL 14 1999
 U.S. MAIL
 PENALTY FOR PRIVATE USE, \$300
 DIV. OF OIL, GAS & MINING

RETURN TO

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

DIVISION OF OIL, GAS & MINING
 1594 W NO TEMPLE STE 1210
 SLC UT 84114
 ATTN:

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

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 box(es) for additional service(s) requested.

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

3. Article Addressed to:
 JOHNNY PAPPAS
 CYPRUS PLATEAU MINING
 847 NW HWY 191
 HELPER UT 84526

4. Article Number:
 P 074 978 529

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

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Address
 X

6. Signature - Agent
 X *Julien Crater*

7. Date of Delivery

8. Addressee's Address (ONLY if requested and fee paid)
 HELPER UT 84526
 6661 8

1. If you want this receipt postmarked, stick the gummed strip 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)

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

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.

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.

6. Save this receipt and present it if you make inquiry.

PS Form 3800, June 1985 EM DOGM 7/7/99 ACT/007/006 D099A

RECEIPT FOR CERTIFIED MAIL
 NO INSURANCE COVERAGE PROVIDED
 NOT FOR INTERNATIONAL MAIL
 (See Reverse)

P 074 978 529

Sent to
 JOHNNY PAPPAS
 Street and No.
 847 NW HWY 191
 P.O. State and ZIP Code
 HELPER UT 84526

Postage \$

Certified Fee

Special Delivery Fee
 SALE LAKE CITY
 MAIN OFFICE

Restricted Delivery Fee

Return Receipt showing 7 - 1999
 to whom and Date Delivered

Return Receipt showing to whom
 Date, and Addressee's Delivery

TOTAL Postage \$84.19

Postmark or Date