



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

Michael O. Leavitt
Governor
Kathleen Clarke
Executive Director
Lowell P. Braxton
Division Director

1594 West North Temple, Suite 1210
PO Box 145801
Salt Lake City, Utah 84114-5801
801-538-5340
801-359-3940 (Fax)
801-538-7223 (TDD)

January 29, 1999

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

Re: Responses to May 27, 1998 Technical Analysis and Deficiencies From Amendment 96C, Cyprus Plateau Mining Company, Star Point Mine, ACT/007/006-98B, File #2, Carbon County, Utah

Dear Mr. Pappas:

The Division has reviewed your September 29, 1998 response to the above referenced deficiencies. We have determined that the deficiencies have all been addressed adequately and your submittal is hereby approved with one stipulation. Being that the proposed topsoil borrow site (SW 1/4, SW 1/4 Section 2, T.15 S. R. 8 E.) must be permitted by no later than March 31, 1999.

Since this amendment was submitted with redline/strikeout we will need to receive seven clean copies. Please submit them by February 12, 1999. One will be returned to you stamped approved incorporated for insertion in your mining and reclamation plan.

While you have now addressed the deficiencies that were previously identified, during the course of our review an additional problem with your plan was identified. It has to do with permanent diversions and is described below.

Diversions

Analysis:

The applicant resubmitted Maps 761a, 761b and 761c identifying hydrologic structures to be left in place or constructed after reclamation. The applicant indicates that culverts SPRC-17a, SPRCb, SPRC18, SPRC19a, SPRC-19b, SPRC-20a and SPRC-20b will be be constructed.

The applicant also plans to construct diversion ditch SPRD-32 which will run perpendicular to the reclaimed slope capturing runoff from drainage RWS-32, diverting it away

Deficiencies From Amendment 96C

ACT/007/006-98B

January 29, 1999

Page 2

from a reclaimed area. It is not known when this diversion will be removed.

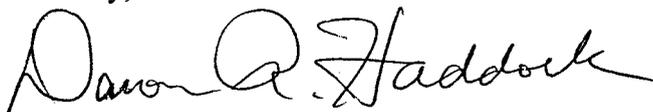
Findings:

R645-301-761, Diversions constructed to divert runoff away from mine facilities and which operate perpendicular to the natural or reclaimed slope are considered temporary structures and are required to be removed. The applicant should consider alternate sediment control measures and/or channels which will carry flows which will not require maintenance. The permanent use of diversion ditch SPRD-32 does not conform to regulatory requirements for removing temporary diversions, and plans should be submitted to transport flows from drainage area RWS-32.

You will need to submit an amendment to your plan which will resolve this issue. Please do so by no later than March 1, 1999. Thank you for your help in resolving these permitting issues. We look forward to your submittals on this ditch issue as well as the topsoil borrow area.

If you have any questions please call.

Sincerely,



Daron R. Haddock
Permit Supervisor