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

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July 29, 2002

TO: Internal File

THRU: Karl R. Houskeeper, Sr. Reclamation Specialist *KRH by a/c*

FROM: Priscilla W. Burton, Sr. Soils Reclamation Specialist *PB*

RE: Permit Reduction, Plateau Mining Corporation, Star Point Mine, C/007/006-02D

SUMMARY:

The Star Point Mine permit acreage has been reduced from 9,084 acres down to 8,838.90 acres. The permit area reduction of 245.10 acres is a result of the sale of 171.20 acres (the refuse pile, subsoil pile and soil borrow area) and by elimination of 73.9 acres (BLM lands adjacent to the Refuse Pile). Sunnyside Cogeneration Associates (SCA) was the purchaser of the 171.20 acres and has applied for a separate permit (007042-ACR_PM02A). The two applications are being handled simultaneously.

The single most important soils issue is that the subsoil pile located north of the lower facilities is dedicated for the reclamation of the refuse pile and must also be transferred with the sale of the refuse.

TECHNICAL ANALYSIS:

GENERAL CONTENTS

IDENTIFICATION OF INTERESTS

Regulatory Reference: 30 CFR 773.22; 30 CFR 778.13; R645-301-112

TECHNICAL MEMO

Analysis:

Plate 112.500a shows lands transferred from Plateau Mining Corporation to Sunnyside Cogeneration Associates (SCA). The Plate shows the transfer of the refuse pile and the borrow area, but not the subsoil pile. The Division understands that transfer of the subsoil pile is pending and Plate 112.500a will require modification with the next submittal.

Section 412.110 indicates that the preparation plant and mine rescue training field will be turned over to oil and gas development by Phillips Petroleum Company. This land use change is currently under review by the Division (AM02C). The portion of the permit area to be affected by this land use change is located in Carbon County, Utah, Township 15 South, Range 8 East SLB&M, Section 10: Portions of the S ½ that are North of County Road 290.

Findings:

The information provided does not meet the minimum Identification of Interest requirements of the Regulations. The application must include current information as requested by another reviewer under Permit Application Format and Contents and prior to approval the Permittee must provide the following in accordance with:

R645-301-112, The Permittee should label the area outlined on Plate 112.500a for the Phillips Petroleum gas wells and utility corridor.

RIGHT OF ENTRY

Regulatory Reference: 30 CFR 778.15; R645-301-114

Analysis:

The legal description of the land transferred is in Exhibit 112.500a. The Exhibit describes the transfer of the refuse pile and the borrow area, but not the subsoil pile. The Division understands that transfer of the subsoil pile is pending and Exhibit 112.500a will require modification with the next submittal.

Findings:

The information provided does not meet the minimum Identification of Interest requirements of the Regulations. Prior to approval the Permittee must provide the following in accordance with:

R645-301-114, The application must include current information in Exhibit 112.500a for transfer of the subsoil pile.

PUBLIC NOTICE AND COMMENT

Regulatory References: 30 CFR 778.21; 30 CFR 773.13; R645-300-120; R645-301-117.200.

Analysis:

Public Notification of the proposed permit reduction and transfer of lands to SCA was authorized by the Division on June 25, 2002 and will be included in the SCA application, 007042-PM02A.

Findings:

The information provided meets the minimum Public Notice and Comment requirements of the Regulations.

OPERATION PLAN

MAPS, PLANS, AND CROSS SECTIONS OF MINING OPERATIONS

Regulatory Reference: 30 CFR Sec. 784.23; R645-301-512, -301-521, -301-542, -301-632, -301-731, -302-323.

Analysis:

Affected area maps

The disturbed area will be reduced by 108.20 acres as described in Table 321.100b. The plan indicates in Section 521.141 that the affected area is presented on Maps 116.100a, 116.100b, and 116.100c. These maps were not revised with the submittal.

Findings:

The information provided does not meet the minimum Operations Plan Affected Area Map requirements of the Regulations. Prior to approval the Permittee must provide the following in accordance with:

R645-301-521.141, The Permittee must supply tables that show the number of permit acres before and after the transfer and the number of disturbed acres before and after the transfer.

TECHNICAL MEMO

RECLAMATION PLAN

BACKFILLING AND GRADING

Regulatory Reference: 30 CFR Sec. 785.15, 817.102, 817.107; R645-301-234, -301-537, -301-552, -301-553, -302-230, -302-231, -302-232, -302-233.

Analysis:

General

Cut and Fill balance is shown on Table 542.200a. Transfer of the refuse to SCA presents the obvious change in this table of fill required for cover over the refuse pile. The Table has not been amended to show that the subsoil pile will also be eliminated from the Star Point reclamation plan. This deficiency has been address under Reclamation Plan, Topsoil and Subsoil below. The Table does indicate that during reclamation of the Lion Deck, an additional 153,901 cubic yards of fill are required. Much of this fill came from the main channel and lower facilities area the final cover is coming from the Lion Deck outsoles.

Findings:

The information provided does not meet the minimum Reclamation Plan Backfilling and Grading requirements of the Regulations. The application must include current information in Table 542.200a Cut and Fill Balance as requested below under Reclamation Plan Topsoil and Subsoil.

TOPSOIL AND SUBSOIL

Regulatory Reference: 30 CFR Sec. 817.22; R645-301-240.

Analysis:

Redistribution

Throughout the submittal a notation has been made that the refuse pile area and topsoil borrow area information is superceded by the SCA permit application (pp 100-1, 200-18, 400-1, 500-11, 500-72, 500-81, 500-84, 700-186); or reclaimed according to the Sunnyside Cogeneration Associates permit (page 300-55).

Page 200-18, Sections 234 thru 234.320, clearly indicates the plan to use the subsoil pile over the refuse pile. Table 233.100, The Reclamation Soil Balance for Coal Waste Cover, should be revised to show the removal of the subsoil stockpile north of the wash plant to the

SCA permit application (P/007/042). Table 542.200a Cut and Fill Balance should likewise be revised to show the subsoil stockpile would remain dedicated to the refuse pile. (Both tables have been revised to show the elimination of the soil borrow area and removal of the refuse pile from the Star Point plan.)

Findings:

The information provided does not meet the minimum Reclamation Topsoil/Soil requirements of the Regulations. Prior to approval, the Permittee must provide the following in accordance with:

R645-301-232.500, The Permittee must show the transfer of the subsoil dedicated for reclamation of the refuse pile in Table 233.100, Table 542.200a, and in the narrative of Sections 234 thru 234.320.

RECOMMENDATIONS:

The Division should not accept the amendment until Plateau Mining Corp acknowledges that ownership of the subsoil pile is transferred to the SCA to provide four feet of cover over the refuse.