

TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

May 3, 2004

OK

TO: Internal File

THRU: Wayne Western, Environmental Scientist III, Engineer/Team Lead *WFW*

FROM: Karl R. Houskeeper, Environmental Scientist III *KRH by an*

RE: Phase I Bond Release 93.54 Acres, Plateau Mining Corporation, Star Point Mine, C/007/006, Task ID #1910

SUMMARY:

The Division received an application for Phase I Bond Release for 95.3 acres on November 7, 2003. The Division and Plateau Mining Corporation (PMC) later discovered that the acreage was actually 93.54 acres. The request for Phase I Bond Release was preceded by:

- Demolition of Mine Facilities and Associated Structures.
- Re-grading and Re-vegetation of Disturbed Area Pads, Roads and Slopes.
- Post Mining Land Use Change to Phillips Petroleum. (11.77 Permit Area Acres, 5.46 Disturbed Area Acres) *
- Sale of the Refuse Pile to Sunnyside Cogeneration Associates. (177.47 Permit Area Acres, 114.16 Disturbed Area Acres) *
- Permit transfer request from Sunnyside Cogeneration Associates (SCA) for the Refuse Pile and associated areas. *
- Permit C/007/042 issued to SCA November 14, 2003 for the Star Point Refuse Pile. *

* Associated with Application Requesting Permit Area Reduction and Phase III Bond Release.

This memo addresses the administrative sections of the application. An AVS check was done on May 27, 2003. Changes were identified and subsequently made to the MRP. Another AVS check was done in association with this permitting action on November 24, 2003. This information was compared to the previous AVS check and found that the previous changes to the MRP are still current.

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The operator submitted a copy of the public notice for the Phase I Bond Release. This public notice was published in the newspaper for the required amount of time. The application also includes letters that were sent to all interested parties for the Phase I Bond Release request.

TECHNICAL ANALYSIS:

GENERAL CONTENTS

VIOLATION INFORMATION

Regulatory Reference: 30 CFR 773.15(b); 30 CFR 773.23; 30 CFR 778.14; R645-300-132; R645-301-113

Analysis:

The approved MRP was reviewed for violation history information during Task #1768. The approved MRP has violation history information for the Star Point Mine, but did not contain any violation history for any of the applicants other coal mining and reclamation operations. The last violation information for the Star Point Mine was in 1997, which is current except for the violation issued in 2003. The Division has since determined that this issue was not applicable to the phased bond release process.

Findings:

The information submitted and contained in the MRP are acceptable.

RECOMMENDATIONS:

The permit application should be approved.