

# TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

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March 17, 2010

TO: Internal File

THRU: Kevin Lundmark, Lead *klw*

FROM: Angela Nance, Business Analyst *an*

RE: Phase III Bond Release, Plateau Mining Corporation, Star Point Mine, C/007/0006, Task ID #3493

## SUMMARY:

On February 11, 2010 the Division received an application from EarthFax Engineering, Inc. on behalf of Plateau Mining Corporation for the Star Point Mine. The application requests the following permit changes:

1. Change in post-mining landuse from wildlife to industrial for a portion of the current permit area,
2. Reduction in the size of the approved permit area, and
3. Request for Phase III bond release for the aforementioned area.

These changes are being requested in an effort to allow for the sale of a 40-acre parcel of land to and development of that land by ConocoPhillips Company for oil and gas production.

This Technical Memo will only address the ownership of areas to be affected by surface operations and facilities.

**TECHNICAL MEMO**

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**TECHNICAL ANALYSIS:**

**GENERAL CONTENTS**

**IDENTIFICATION OF INTERESTS**

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

**Analysis:**

The applicant submitted changes to Section 112.500 on page 100-3. This section states that ConocoPhillips Company (COP) entered into an option to purchase 40 acres of land from Plateau Mining Corporation (PMC). Upon Phase III bond release of this area, COP will become the owner of the surface land and this land will be removed from the PMC mining permit area.

**Findings:**

Plateau Mining Corporation, the Bureau of Land Management, the Manti-La Sal Forest, State Lands, Sunnyside Cogeneration Associates and John and LaRue Petitti are all listed as equitable owners of record of areas to be affected by surface operations and facilities and each owner's address is given. ConocoPhillips Company will not become the owner of the land until Phase III bond release is achieved and the area is removed from the mining permit area.

The major lessee of the surface areas to be affected and the only holder of any leasehold interest in the coal to be mined is Plateau Mining Corporation.

**RECOMMENDATIONS:**

The information provided adheres to the requirements of Section 112.500. The application is recommended for approval, as soon as any deficiencies identified by other team members reviewing the General Contents section of the Utah Coal Mining Rules (R645-301-100) are addressed.