0041

Document Information Form

Mine Number: C/007/0038

File Name: Incoming

To: DOGM

From:

Person N/A

Company Cyprus Plateau Mining Corporation

Date Sent: April 23, 1996

Explanation:

Findings

cc:

File in:
C/ 007 , 0038 , Incoming
Refer to:
- ☐ **Confidential**
- ☐ **Shelf**
- ☐ **Expandable**

Date _____ For additional information

FINDINGS

Cyprus Plateau Mining Corporation
Willow Creek Mine
ACT/007/038 #3
Carbon County, Utah

April 23, 1996

1. The permit application for the proposed Willow Creek Mine is accurate and complete and all requirements of the Surface Mining Control and Reclamation Act, and the approved Utah State Program (the "Act") are in compliance. Refer to April 22, 1996 Technical Analysis (TA) with conditions (R645-300-133.100)

2. An assessment of the probable cumulative impacts of all anticipated coal mining and reclamation activities in the general area on the hydrologic balance has been conducted by the Division and no significant impacts were identified. The Mining and Reclamation Plan (MRP) proposed under the revised application has been designed to prevent damage to the hydrologic balance in the permit area and in associated off-site areas. See CHIA dated April 1996 (R645-300-133.400 and UCA 40-10-11 (2)(c)).

3. The proposed lands to be included within the permit area are:

   a. Not included within an area designated unsuitable for underground coal mining operation (R645-300-133.220);

   b. not within an area under study for designated land unsuitable for underground coal mining operations (R645-300-133.210);

   c. not on any lands subject to the prohibitions or limitation of 30 CFR 761.11 {a} (national parks, etc), 761.11{f} (public buildings, etc.) and 761.11 {g} (cemeteries);

   d. within 100 feet of a public road (R645-300-133.220) (A public hearing was held on May 11, 1995): and

   e. l ling (R645-300-133.220).

4. The operation e of any threatened or endangered s 'erse modification of their critical habitat Species Act of 1973 (16 USC 1531 et 5-300-133.500)

File in:
☐ Confidential
☐ Shelf
☐ Expandable
Refer to Record No 0041 Date 4-23-96
In C/ 007 , 0038 , Incoming
For additional information

FINDINGS

Cyprus Plateau Mining Corporation
Willow Creek Mine
ACT/007/038 #3
Carbon County, Utah

April 23, 1996

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    d. within 100 feet of a public road (R645-300-133.220) (A public hearing was held on May 11, 1995); and

    e. not within 300 feet of any occupied dwelling (R645-300-133.220).

4. The operation would not affect the continued existence of any threatened or endangered species or result in the destruction or adverse modification of their critical habitats as determined under the Endangered Species Act of 1973 (16 USC 1531 et seq.) See TA dated April 22, 1996 (R645-300-133.500)

5. The Division's issuance of a permit is in compliance with the National Historic Preservation Act and implementing regulations (36 CFR 800). See permit condition and letter from State Historic Preservation Office, dated April 22, 1996. (R645-300-133.600)

6. The applicant has the legal right to enter and conduct mining activities in the Willow Creek Mine area. See TA dated April 22, 1996 (R645-300-133.300)

7. A 510 (c) report has been run on the Applicant Violator System (AVS), which shows that: prior violations of applicable laws and regulations have been corrected; neither Cyprus Plateau Mining Corporation or any affiliated company, are delinquent in payment of fees for the Abandoned Mine Reclamation Fund; and the applicant does not control and has not controlled mining operations with demonstrated pattern of wilful violations of the Act of such nature, duration, and with such resulting irreparable damage to the damage to the environment as to indicate an intent not to comply with the provisions of the Act. A 510 (c) report and memo to file on April 16, 1996, (R645-300-133.730)

8. Underground mining operations to be performed under the permit will not be inconsistent with other operations anticipated to be performed in areas adjacent to the proposed permit area.

9. The applicant has posted a surety bond for the Willow Creek Mine by United Pacific Surety Company (#U2644-518) in the amount of $11,949,205 (Year 2001dollars). (R645-300-134)

10. No lands designated as prime farmlands or alluvial valley floors occur on the permit area. See TA (R645-302-313.100 and R645-302-321.100)

11. The proposed postmining land-use of the permit area is the same as the pre-mining land use and has been approved by the Division.

12. The Division has made all specific approvals required by the Act, the Cooperative Agreement, and the Federal Lands Program. (See Stipulation for Mining Plan Approval.)

13. All procedures for public participation required by the Act, and the approved Utah State Program are in compliance. See Affidavit of Publication, dated October 12, 1995. (R645-300-120)

14. Existing structures used in conjunction with this mining operation will be in compliance with the performance standards of R645-301 and R645-301. See TA (R645-300-133.720)

Permit Supervisor

Permit Supervisor

Associate Director, Mining

Director