



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

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April 26, 1996

Ben Grimes, Sr Staff Project Engineer
Cyprus Western Coal Company
Willow Creek Mine Development
P. O. Drawer PMC
Price, Utah 84501

RE: CONSTRUCTION Blasting Protocol, Willow Creek Mine, Cyprus Western Coal Company, ACT/007/038-96A, Folder #2, Carbon County, Utah

Dear Mr. Grimes:

In reviewing the aforementioned, several questions arose in my mind which I would like to ask.

- 1) Has the inclusion of the rock tunnels in EXP/007/038 been transferred to the recently approved ACT/007/038? Is it even necessary to do this, or does the now approved ACT/007/038 automatically supersede the exploration permit?
- 2) The enlargement of the rock tunnels is comparable to driving a new tunnel using the pilot tunnel method. Two free surfaces are available for the detonation/propagation waves to break the material toward. Hence, flyrock has a minimum of two directions in which it can travel. At what distance into the tunnel should we agree (including MSHA) that the R645 and the 30 CFR 77, Subpart N, 77.1300-1304 are no longer in effect, (i.e., when are the duties of a certified surface blaster relinquished to an Industrial Commission of Utah certified mine foreman?) I think this is something you may want to be very specific about before this work begins. It may be as simple as utilizing one or two individuals who have both certifications.

The enlargement of the rock tunnels is, without question, under the regulatory authority of MSHA, once a specified enlarged horizontal tunnel depth has been achieved. Where my jurisdiction as a DOGM inspector is terminated is my concern here. You certainly do not need two regulatory agencies arguing with each other over who has jurisdiction while the contractor is awaiting a decision.

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As you are aware, 30 CFR 75.1321 requires a special permit for firing more than twenty boreholes, (I have no idea what shot pattern you intend to use for the enlargement of these tunnels). To obtain this permit from MSHA, a plan must be filed and approved by the MSHA District Manager. Part of this plan must include a description of the potential hazards (flyrock) and the precautions taken to eliminate them.

Once your plan has been approved by MSHA, I would appreciate a copy of same.

In general, I feel that what you have submitted is very well done and covers all compliance issues with regard to the R645 blasting regulations. Thank you.

Sincerely,



Peter Hess
Reclamation Specialist III

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cc: J. Helfrich, DOGM, SLC