

0007

December 12, 1997

Coal Regulatory Program
Utah Division of Oil, Gas & Mining
1594 West North Temple
Salt Lake City, Utah 84114-5703

Subject: Response to December 9, 1997 Analysis and Findings
Related to the Willow Creek Mine Clean Coal Storage
Expansion (Amendment 97I)

To Whom It May Concern:

At the request of Cyprus Plateau Mining Corporation, we herewith submit the following information related to the above subject:

- Completed original of Form C1
- Completed original of Form C2
- Five copies of the appropriate revisions and additions
- One copy of a summary of the responses to the analysis and findings.

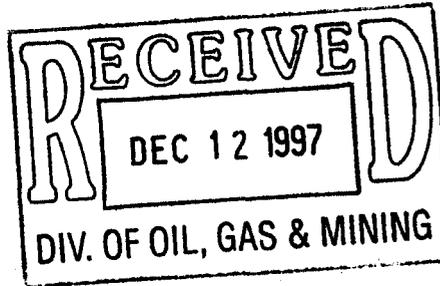
Thank you for your assistance in this matter.

Sincerely,



Richard B. White, P.E.
President

Enclosure



EarthFax
Engineering Inc.
Engineers/Scientists
7324 So. Union Park Ave.
Suite 100
Midvale, Utah 84047
Telephone 801-561-1555
Fax 801-561-1861

AG/007/038 #2
97I

APPLICATION FOR PERMIT CHANGE

Title of Change:

Permit Number: ACT/007/038

Response to December 9, 1997 Analysis and Findings related to the Willow Creek Mine
Clean Coal Storage Expansion (Amendment 97I).

Mine: Willow Creek Mine

Permittee: Cyprus Plateau Mining Corp.

Description, include reason for change and timing required to implement:

Response to December 9, 1997 Technical Analysis

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	1. Change in the size of the Permit Area? _____ acres <input type="checkbox"/> increase <input type="checkbox"/> decrease.
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	2. Change in the size of the Disturbed Area? _____ acres <input type="checkbox"/> increase <input type="checkbox"/> decrease.
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	3. Will permit change include operations outside the Cumulative Hydrologic Impact Area?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	4. Will permit change include operations in hydrologic basins other than currently approved?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	5. Does permit change result from cancellation, reduction or increase of insurance or reclamation bond?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	6. Does the permit change require or include public notice publication?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	7. Does the permit change require or include ownership, control, right-of-entry, or compliance information?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	8. Permit change as a result of a Violation? Violation # _____
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	9. Permit change as a result of Division Order? D.O. # _____
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	10. Permit change as a result of other laws or regulations or policies? Explain: _____
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	11. Does the permit change affect the surface landowner or change the post mining land use?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	12. Does permit change require or include underground design or mine sequence and timing? (Modification of R2P2?)
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	13. Does permit change require or include collection and reporting of any baseline information?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	14. Could the permit change have any effect on wildlife or vegetation outside the current disturbed area?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	15. Does permit change require or include soil removal, storage or placement?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	16. Does permit change require or include vegetation monitoring, removal or revegetation activities?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	17. Does permit change require or include construction, modification, or removal of surface facilities?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	18. Does permit change require or include water monitoring, sediment or drainage control measures?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	19. Does permit change require or include certified designs, maps, or calculations?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	20. Does permit change require or include subsidence control or monitoring?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	21. Have reclamation costs for bonding been provided for any change in the reclamation plan?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	22. Is permit change within 100 feet of a public road or perennial stream or 500 feet of an occupied dwelling?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	23. Is this coal exploration activity?

Attach 5 complete copies of proposed permit change as it would be incorporated into the Mining and Reclamation Plan.

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

Johann Pappas - Sr. Envir. Eng. 12/12/97
Signed: Name - Position - Date

Subscribed and sworn to before me this 12 day of Dec., 1997.

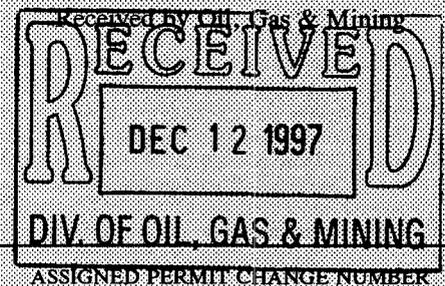
Diane Rubey
Notary Public

My Commission Expires: Utah May 1, 1998
Attest: STATE OF Utah
COUNTY OF Salt Lake



Notary Public
DIANE RUBEY
1804 West North Temple, Suite 1210
Box 145801
Salt Lake City, Utah 84114-5801
My Commission Expires
May 1, 1998

State of Utah



Application for Permit Change

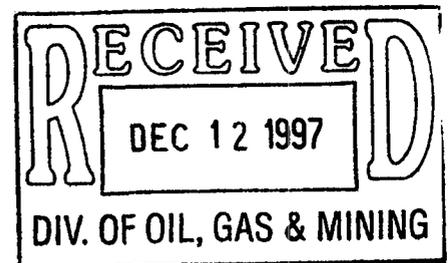
Detailed Schedule of Changes to the Permit

Title of Change:	Permit Number: ACT/007/038
Response to December 9, 1997 Analysis and Findings related to the Willow Creek	Mine: Willow Creek Mine
Mine Clean Coal Storage Expansion (Amendment 97I)	Permittee: Cyprus Plateau Mining Corp.

Provide a detailed listing of all changes to the mining and reclamation plan which will be required as a result of this proposed permit change. Individually list all maps and drawings which are to be added, replaced, or removed from the plan. Include changes of the table of contents, section of the plan, pages, or other information as needed to specifically locate, identify and revise the exiting mining and reclamation plan. **Include page, section and drawing numbers as part of the description.**

			DESCRIPTION OF MAP, TEXT, OR MATERIALS TO BE CHANGED
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	pp 3.4-18, 3.4-19, 3.4-21, and 3.4-22 in Section 3.4, Exhibit 19
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	pp 5-ii and 5-2 in Chapter 5, Exhibit 19
<input checked="" type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Appendix 5-G in Chapter 5, Exhibit 19
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	pg 7 of Appendix 8-3, Exhibit 19
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	pp 9-11 and 9-12 in Chapter 9, Exhibit 19
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Maps 3.4-4D, 3.4-4E, 3.4-6, and 3.4-8 of Section 3.4, Exhibit 19
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
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<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	

Any other specific or special instructions required for insertion of this proposal into the Mining and Reclamation Plan?



**RESPONSE TO DECEMBER 9, 1997
TECHNICAL ANALYSIS,
WILLOW CREEK MINE
CLEAN COAL STORAGE EXPANSION**

R645-301-411.140. The applicant needs to provide cultural resources information in compliance with R645-301-411.140. When this information is received, the Division and State History can evaluate it to determine the potential of affecting cultural resources.

The results of a cultural-resource survey have been added as Appendix 5-G of Exhibit 19. The text on page 5-2 of that Exhibit has been modified to refer to the new appendix.

The Permittee failed to meet the requirements of **R645-301-150** and **R645-301-151** by not showing the angle of inclination (contour elevations) along the prevailing slope extending 100 linear feet above and below the area to be disturbed.

Maps 3.4-4D and 3.4-8 have been modified to provide additional contour data outside of the disturbed area.

R645-301-232.100 and **R645-301-232.300.** Because of the extent of the expansion area and the extreme variability of soil quality and thickness, the Division recommends that a non-biased, third party, professional soil scientist be on site during soil salvage to monitor and supervise soil salvage operations for the purpose of maximizing soil salvage volumes and quantities.

Cyprus recognizes the potential of soils on the slope having varying thicknesses. Cyprus will endeavor to remove the A and C horizons. Cyprus appreciates the Division's recommendation to have a non-biased, third party, professional soil scientist on site during soils removal. However, given the experience of Cyprus personnel in the removal of topsoil materials from the refuse disposal area, Cyprus does not believe it is necessary to place this recommendation in the M&RP.

The Permittee failed to meet the requirements of **R645-301-521.180** and **R645-301-521.190.** Prior to approval of 971 the Permittee must describe the support facilities that will be used to keep coal from going outside the permit boundary.

Cyprus will exercise caution during activities at the site to ensure that coal is kept within the permit boundary. Cyprus recognizes that they may be out of compliance with the regulations if coal from the stockpile is deposited outside the permit boundary.

R645-301-722.500. Provide "maps to adequately represent the existing land surface configuration of proposed disturbed areas."

The channel on Map 3.4-4E should have been designated as CGD-21. This map has been revised to reflect this change. Map 3.4-6 has been modified to indicate the minimum required thickness of the riprap on the Pond 011 emergency.

R645-301-242 and R645-301-120. Both Appendix 8-3 and Section 3.4-6 need to be correlated and corrected to address reclamation efforts for the coal pile expansion slope. The MRP needs to commit that topsoil materials removed and stored in the Gravel Canyon topsoil stockpile be redistributed on the coal pile expansion slope to the extent possible to achieve reclamation success.

Pages 3.4-21 and 22 have been modified to state that soil will be salvaged from the clean coal pile storage slope and that soil from the Gravel Canyon topsoil stockpile will be used for reclamation of the slope. Additionally, Appendix 8-3 page 7 has been modified to also state that the slope will be reclaimed with soils from the Gravel Canyon Stockpile.

R645-301-340. The proposed expanded disturbed area overlaps the Barn Canyon grass-sage reference area. The applicant needs to propose an alternative revegetation success standard or to not disturb the existing reference area.

Page 9-11 of Exhibit 19 has been modified to indicate that the reference area will be moved northward, outside of the area to be disturbed by coal storage.

The Permittee failed to meet the requirements of **R645-301-541.200** by not committing to remove all underground structures unless approved for the postmining land use.

The plan has been revised to read as it did prior to the September 1997 submittal.

The Permittee failed to meet the requirements of **R645-301-121.100** by not stating in a clear and concise manner what underground utilities they plan on leaving as part of the postmining land use.

The plan has been revised to read as it did prior to the September 1997 submittal.

The Permittee failed to meeting the requirements of **R645-301-121.100**. Prior to approval, the Permittee must specify when reclamation of the School House Canyon refuse pile site will begin and be completed.

The plan has been revised to read as it did prior to the September 1997 submittal.

The Permittee failed to meet the requirements of **R645-301-121.200** by not being clear and concise about the location of the slope stability analysis for the cut slopes that will remain after reclamation.

As stated on the C2 form which accompanied the September 1997 submittal, "the previous Appendix 3.4K becomes Appendix 3.4H." The new cover sheet was provided for this purpose. Only the designation of the appendix changed. The information regarding slope stability remained the same.

The Permittee failed to meet the requirements of **R645-301-121.200** by not being clear and concise about why some cut slopes must remain after reclamation.

The text changes submitted in September 1997 were made merely to reference the maps that were compared to determine which cut slopes would be retained. No changes were made to the reclamation plan. The same cut slopes which were planned for retention prior to September 1997 are still planned for retention as a result of the September 1997 modification.

The Permittee did not meet the requirements of **R645-301-830.140**. Prior to approval, the Permittee must supply the Division with detailed reclamation cost estimates that include the expanded area of the clean coal stockpile.

The revised bond was provided with the September 1997 submittal as an Attachment to Appendix A of Exhibit 17 (see the C2 form that accompanied the September 1997 submittal).