



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

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OK

December 20, 2002

TO: Internal File

THRU:  Priscilla W. Burton, Sr. Reclamation Specialist/Soils, Team Lead

FROM: Karl R. Houskeeper, Sr. Reclamation Specialist *KRH*

RE: Star Point Refuse Mine, Sunnyside Cogeneration Associates, Star Point Refuse Mine, C/007/042-PM02A-1

SUMMARY:

The Division received a permit application for the Star Point Refuse Mine on April 1, 2002. On June 24, 2002, the Division determined the application for the Star Point Refuse Mine to be Administratively Complete. The approval of the ACR requested immediate modifications of the Permit Application by July 28, 2002 and allowed public notification to take place upon receipt of the letter.

SCA requested an extension of the July 28, 2002 deadline. On September 23, 2002, the Division received the modifications requested in the ACR review. Information submitted in the PAP and subsequent revisions for section 1 met the requirements of the coal rules, except for the insurance form.

The form listed Plateau Mining as the certificate holder and not the State of Utah, Division of Oil, Gas, and Mining. The language in the cancellation clause on the insurance form contained "will endeavor to mail...". The insurance policy was expired.

The appropriate changes have been made to the insurance form and the insurance form has been incorporated into the permit application.

TECHNICAL MEMO

TECHNICAL ANALYSIS:

ENVIRONMENTAL RESOURCE INFORMATION

Regulatory Reference: Pub. L 95-87 Sections 507(b), 508(a), and 516(b); 30 CFR 783., et. al.

HISTORIC AND ARCHEOLOGICAL RESOURCE INFORMATION

Regulatory Reference: 30 CFR 783.12; R645-301-411.

Analysis:

Cultural and Historic Resources Information, Page 400-5, Section 411.140 indicates that there are no sites eligible for nomination to the National Register of Historic Places within the disturbed area. Studies for cultural and historic resources of the permit area are contained in Exhibit 411.140a. No cemeteries or Indian burial grounds have been identified within the permit area. There are no units of the national trails system or the wild and scenic rivers system within the areas encompassed by the permit boundary.

The information contained in Exhibit 411.140a was conducted for the PMC permit C/007/006 for the Star Point Mine. The waste fuel permit contained in this application is a portion of that permit that has now changed owners to SCA. The studies have been replicated into this application to cover the areas proposed in the C/007/042 permit.

The most recent study by Sagebrush Consultants, L.L.C. was in response to deficiencies listed in a permit renewal for PMC. A review of that report shows that the deficiencies listed were properly addressed. In addition page 400-5, section 411.142. Coordination with the State Historic Preservation Officer, indicates SCA agrees to notify the Division and State Historic Preservation Officer (SHPO) of any previously unidentified cultural resources discovered in the course of operation and/or reclamation. This statement also addresses concerns mentioned during PMC permit renewal.

Findings

The requirements of this section of the regulations are considered adequate in regard to the proposed permit application, Star Point Waste Fuel C/007/042.

LAND-USE RESOURCE INFORMATION

Regulatory Reference: 30 CFR 783.22; R645-301-411.

Analysis:

Land Owner or Surface Manager Comments, Page 400-10, Section 412.200 indicates that the surface owners of record agree with the post mining land uses. The owners identified are BLM and SCA.

Findings:

A review of the records and the mining and reclamation plan indicates a third surface owner Plateau Mining Corporation (PMC). The narrative should reflect this owner and their agreement with the post mining land uses. The following deficiency should be addressed:

R645-301-412.200, The application must reflect Plateau Mining Corporation ownership of the topsoil storage area and include a letter from PMC indicating their agreement with the post- mining land use and configuration of the site for both the Final Reclamation Scenario and the Bonding Reclamation Scenarios.

RECOMMENDATIONS:

The deficiencies listed above need to be adequately addressed before the application can be approved.