



STATE OF UTAH
NATURAL RESOURCES & ENERGY
Oil, Gas & Mining

Scott M. Matheson, Governor
Temple A. Reynolds, Executive Director
Cleon B. Feight, Division Director

4241 State Office Building • Salt Lake City, UT 84114 • 801-533-5771

0007

June 17, 1982

REGISTERED RETURN RECEIPT REQUESTED

Mr. Wendell Owen
Co-op Mining Co.
P. O. Box 1245
Huntington, UT 84528

#7

RE: Violation #15 NOV-80-1-6-6 #6 of 6
and NOV 82-1-3-4 #3 of 4
Trail Canyon Mine and
Bear Creek Canyon Mine
~~ACT/015/021~~
ACT/015/025
Emery County, Utah

Dear Mr. Owen:

On June 16, 1982, Lynn Kunzler and Mary Boucek of the Division staff met with you on site to inspect the areas of the above referenced violations and make technical recommendations on how to address these areas to have them designated as temporary storage areas for materials and non-coal waste. Questions were raised concerning the abatement procedures and time frames that had been placed by the Inspector which were discussed and an alternative time frame was suggested which was to be discussed with the Inspector by Mr. Kunzler and Ms. Boucek.

On June 17, 1982, an informal meeting was held with Cleon Feight, Joe Helfrich, Lynn Kunzler and Mary Boucek to discuss the visit and findings of the technical inspection of Mr. Kunzler and Ms. Boucek. Results of this meeting are as follows:

1. The areas in question need to comply with UCA, 1953 40-10-17(e); UMC 817.21(a), 22(c) and 23(b); and UMC 817.89(a).
2. The inspection staff has been working with you for the last two years on various aspects of soil protection and non-coal waste storage and feels that ample time has been given to remedy the problems.
3. The areas in question could be designated as temporary storage areas provided that:

adequate plans are submitted to the Division that outline the time they will be needed, maps showing the locations of these areas, sediment control measures, reclamation after use, topsoil handling, or make reference to the appropriate sections and pages in the Mining and reclamation plan. These plans need to be submitted on or before June 28, 1982.

Board/Charles R. Henderson, Chairman • John L. Bell • E. Steele McIntyre • Edward T. Beck
Robert R. Norman • Margaret R. Bird • Herm Olsen

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4. In Bear Canyon, no enforcement action will be taken provided the following work is completed before June 28, 1982:
 - a. all materials are consolidated on the area where, historically, coal fines had been dumped,
 - b. a diversion ditch is constructed along the eastern edge of this area,
 - c. a berm is constructed along the northern edge of this area,
 - d. topsoil should be removed and stockpiled as per UMC 817.21(a), 817.22(c), and 817.23(b), and
 - e. a request be made that the area be designated as a temporary storage area in conjunction with the submittal of the plans discussed under #3.

5. In Trail Canyon, by July 23, 1982, the following must be done:
 - a. on or before June 24, 1982, the Division will need to have a signed statement from your salvage contractor which gives an explanation for the delay and that he needs the 30 days to complete the task,
 - b. all materials not salvaged will be consolidated as much as possible within an area that has adequate sediment control,
 - c. submit plans and a request for this area to be designated as a temporary storage area as outlined in #3 by June 28, 1982,
 - d. address reclamation procedures (temporary and/or permanent) to be implemented on the areas no longer needed for storage, and
 - e. any unforeseen problems which arise that could prevent meeting the July 23 deadline must be documented before July 23, 1982.

6. In as much as time extensions have been granted in the past, if Co-op Mining Company fails to complete the procedures described above, any and all fines will be retroactive.

Wendell, the above procedures and deadlines have been discussed with you over the phone on June 17, 1982 and you said they were acceptable and that you would meet them. The Division has extended these time frames according to your good faith and cannot allow further extensions.

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Should you have any questions or need further clarification on any of these points, please don't hesitate to call.

Sincerely,



CLEON FEIGHT
DIRECTOR



LYNN KUNZLER
RECLAMATION BIOLOGIST



JOE HELFRICH
FIELD SUPERVISOR

cc: Jodie Merriman, OSM (Albuquerque)
Inspection Staff
Mining Staff

CF:dc