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VIKING ENGINEERING SERVICES

April 7, 1983

Mr. Wendell Owen
Co - Op Mining Company
P.O. Box 300
Huntington, Utah 84528

JIM
APR 29 1983

RE: NOAC 83-5-1-2

Dear Sir:

The completion of the plans for the Notice of Area of Concern 83-5-1-2 can not be completed until after the Division approves the enclosed plans or a modification of them to abate the current violations. I do feel Mr. Whitehead was justified in his concern and subsequent issuance of the NAOC. After reviewing the present conditions in and about the sediment pond, and reading the paper work concerning the Divisions approval of the pond, a serious question arises.

Why did the Division approve and or allow the construction of an earthen dike in a drainage base without requiring an altered construction methods?

After studying the patterns above and below the pond, I feel that time and peak period runoff will cause a failure in the ponds integrity. In its current condition the State Engineer for impoundments will not approve the stability and construction. Without this approval the Bear Canyon Permit can not be issued. NOTE: Because an Operator relies on the Division of Oil, Gas and Mining's Technical staff for assistance in site selection, design and construction methods through the review process; the Division must share the major responsibility for the condition of the pond. I feel the Division should be requested to assist in the correction by expediting assistance in design, approval and construction supervision. Please let me know your feelings on this as soon as possible.

If both you and the Division approve the culvert installation in Bear Creek, and the new catch basin, some thought should be given to additional drainage improvements. The additional cost of these improvements will be repaid ten fold by reducing the money spent on violations, maintenance with increase efficiency. A willingness by Co - Op Mining to expedite required improvements will counter the negative attitudes of some of the Division, while rewarding those who have been willing to work with you.

When a master plan is completed for the final development and expansion for the Bear Canyon Mine, additional hydrographs and sediment calculation will be completed. Please contact me if you have any questions on this letter, or any other part of the documents being submitted.

Yours,

Scott H. Nordness