



STATE OF UTAH  
NATURAL RESOURCES  
Oil, Gas & Mining

Scott M. Matheson, Governor  
Temple A. Reynolds, Executive Director  
Dr. G. A. (Jim) Shirazi, Division Director

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0040

May 16, 1983

REGISTERED RETURN RECEIPT REQUESTED

f 324 743 375

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

RE: Bear Creek Canyon  
Notice of Violation  
N83-5-8-3  
Modification of  
N83-5-7-1  
ACT/015/025  
Folder No. 7  
Emery County, Utah

Dear Mr. Owen:

As a result of my inspection last week of May 12, 1983 please find enclosed the following; notice of violation N83-5-8-3 and a modification to N83-5-7-1.

Violation #1 of 3 is for the new truck loading belt system and associated power lines which have been recently constructed near the main coal stockpile area. In researching your approved interim plan this is clearly not in compliance with the interim plan. Violation #2 of 3 deals with the inadequacies which presently exist in the main sedimentation pond at the Bear Canyon operation. Violation #3 of 3 deals with the lack of drainage controls and diversions for the upper area associated with the portal substation and fan.

As a clarification to violation N83-5-7-1, please be advised that continued use (hauling coal, etc.) of the pad area(s) adjacent to the scales will be construed as a failure to abate N83-5-7-1. Unless Co-op Mining Company opts to return the alleged county road affected by the scale construction (pad included) to its original configuration (elevation and alignment), no further activity on the pad scalehouse, scale and road development may be undertaken.

Mr. Wendell Owen  
ACT/015/025  
May 16, 1983  
Page Two

If you should have questions concerning any of these matters, please free to contact myself, Joe Helfrich or Barbara Roberts of the Attorney General's office.

Sincerely,



JOHN J. WHITEHEAD  
FIELD SPECIALIST

JJW/lm

cc: Joe Helfrich, DOGM  
Ev Hooper, DOGM

Enclosures