



STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

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

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

0041

May 18, 1983

REGISTERED RETURN RECEIPT REQUESTED

P 324 743 377

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

RE: Revised Deadlines on
N83-5-5-3, N83-5-2-2
Bear Creek Canyon Mine
ACT/015/025
Folder No. 7
Emery County, Utah

Dear Mr. Owen:

This letter is being forwarded to clarify the deadlines and responses for the violations N83-5-5-3 and N83-5-2-2.

The Division's response to your submission of plans for violation 1 of 2 of N83-5-2-2 was contained in Dave Darby's letter of May 5, 1983. Please respond to the deficiencies noted in that letter. The enclosed modification extends the abatement deadline for this NOV to June 2, 1983.

The response received from Co-op Mining Company for violation 2 of 2 of N83-5-2-2 is inadequate. In my letter of April 22nd to you I outlined the fact that the Division will allow classification of the diversion adjacent to the crushing pad as a disturbed area drainage. Making this assumption, please submit plans with specifics which address the requirements of the regulations in UMC 784.22, 784.23, and 817.43. Failure to submit complete and adequate plans will be construed as a failure to abate this violation. The abatement deadline for this violation is extended to June 2, 1983.

Pursuant to Everett Hooper's site visit to determine the nature of the topsoil piles which presently exist at the Bear Canyon Mine, please be advised that none of the three options noted in your proposal are acceptable to the Division. Of the seven piles of topsoil material currently on or near the Bear Canyon permit area you may consider the pile immediately adjacent to the west side of the main sediment pond and the stockpile on the west side of the access road off the permit area as not suitable for topsoil. All other five stockpiles must be brought into compliance. Please submit plans as required in the notice of violation by June 2, 1983.

Responses to the material Co-op has submitted for violation 2 of 3 for N83-5-5-3 are incorporated in Mr. Dave Darby's letter of May 5, 1983 and Jim Smith's letter of May 12, 1983. Please address your response to deficiencies noted for this particular NOV in these two letters. Please note the abatement deadline is extended to June 2, 1983 for this NOV.

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The inadequacies of your submission for violation 3 of 3 for N83-5-5-3 is contained also in Dave Darby's letter of May 5, 1983 and Mr. Jim Smith's letter of May 12, 1983. Please address your response to the inadequacies outlined in these two letters. Please note the abatement deadline is extended to June 2, 1983 for the NOV.

Please find enclosed modification orders which extend abatement deadlines for violations 1 and 2 of N83-5-2-2 and 1, 2, and 3 of N83-5-5-3 to June 2, 1983.

The plans submitted to abate violation N83-5-7-1 for the scale area includes information for abatement for N83-5-5-3 and N83-5-2-2. For your convenience when submitting information to abate N83-5-2-2 and N83-5-5-3 you may reference material submitted for N83-5-7-1 specifically by page and paragraph if you deem it necessary rather than submitting duplicate information.

Please feel free to contact me if you should have any questions on the matters contained in this letter. Additionally, if you should need additional extensions to the abatement deadlines for any of the above noted violations please contact me prior to the abatement deadline to request and justify an extension.

Sincerely,



JOHN J. WHITEHEAD
FIELD SPECIALIST

JJW/lm

cc: Joe Helfrich, DOGM
EV Hooper, DOGM

enclosures