



STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

Norman H. Bangerter, Governor
Dee C. Hansen, Executive Director
Dianne R. Nielson, Ph.D., Division Director

355 W. North Temple • 3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340

November 15, 1985

CERTIFIED RETURN RECEIPT REQUESTED
(P402 457 258)

Mr. Eldon Kingston
Co-Op Mining Company
53 West Angelo
Salt Lake City, Utah 84115

Dear Mr. Kingston:

RE: Abatement Action Required for Notice of Violation
N85-4-25-1, Incidental Boundary Change Request, Bear
Canyon Mine, ACT/G15/O25, #3 and #7, Emery County, Utah

The Division has reviewed your letter of September 26, 1985 regarding a request for an incidental boundary change as it relates to abatement of Notice of Violation (NOV) N85-4-25-1. As you are aware, the Bear Canyon Permanent Program Permit, issued in October 1985, contained stipulations which prohibited any further mining operations in the two areas proposed for incidental boundary changes. However, to completely abate NOV N85-4-25-1, the following items must be addressed:

1. The two areas proposed for incidental boundary changes include significant acreage beyond the areas directly affected by mining. The proposal must be modified to include only those areas directly affected, including areas potentially impacted by subsidence, using an appropriate angle of draw.
2. Right of entry information must be provided for both areas proposed.

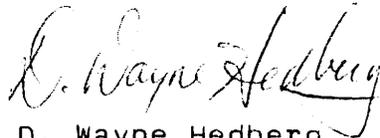
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Mr. Eldon Kingston
ACT/015/025
November 15, 1985

Please be advised that Division approval of the Incidental Boundary Changes to abate NCV N85-4-25-1 will not satisfy the requirements of Stipulation 782.15-(2)-JW in the Bear Canyon Permanent Program Permit. To conduct any further mining operations in any part of the proposed incidental boundary change areas will require submittal by Co-Op of a permit revision for Division and Office of Surface Mining approval.

In addition, please find enclosed a Modification of Notice of Violation N85-4-25-1. This modification changes the Remedial Action Required and Time for Abatement of the violation.

Please submit the information requested by December 12, 1985. If you should have any questions on this matter, please contact me.

Sincerely,



D. Wayne Hedberg
Permit Supervisor/
Reclamation Hydrologist

JJW/btb
Enclosure
cc: Stephen Falk
Allen Klein
Lowell Braxton
Dave Lof
John Whitehead
9294R-40 & 41



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MODIFICATION OF NOTICE OF VIOLATION/CESSATION ORDER

To the following Permittee or Operator:

Name Co-Op Mining Company

Mailing Address P.O. Box 1245 HUNTINGTON, UTAH

State Permit No. ACT/015/025

Utah Coal Mining & Reclamation Act, Section 40-10-1 et seq., Utah Code Annotated (1953):

Notice of Violation No. N 85-4-25-1 dated Jan. 13, 1985

Cessation Order No. C _____ dated _____, 19____

Part 1 of 1 is modified as follows: "REMEDIAL ACTION REQUIRED" CHANGED TO READ "A. PERMIT THOSE AREAS DESCRIBED ABOVE B. CEASE ALL

Reason for modification is MINING ~~ACT~~ ACTIVITIES IN THE AREAS DESCRIBED ABOVE
"TIME FOR ABATEMENT" CHANGED TO READ "A. DECEMBER 12, 1985

Part _____ of _____ is modified as follows: B. IMMEDIATELY

Reason for modification is _____

Part _____ of _____ is modified as follows: _____

Date of service/ mailing Nov. 14, 1985 Time of service/ mailing 4:30 a.m. p.m.

Mr. Eldon Kingston
Permittee/Operator representative Title _____

Signature _____

DAVID L OF
Division of Oil, Gas & Mining

MINING FIELD SPECIALIST
Title

David L of
Signature

THIS MODIFICATION WAS SENT W/ A DIVISION LETTER DATED 11/15/85 RE: THE
WHITE - DOGM YELLOW - OSM PINK - PERMITTEE/OPERATOR GOLDENROD - NOV FILE
REVIEW OF THE OPERATORS 9/24/85 SUBMITAL FOR ABATEMENT OF THE NOV
an equal opportunity employer
11/85