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

State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340

October 3, 1990

Mr. Eldon Kingston
c/o Mountain Coin
3753 South State Street
Salt Lake City, Utah 84115

Dear Mr. Kingston:

Re: Division Concern About Timeliness of Regulatory Requirements and Notices of Violation, Co-Op Mining Company, Trail Canyon Mine, ACT/015/021 and Bear Canyon Mine, ACT/015/025, Folder #2 and #4, Emery County, Utah

The Division is concerned about the number of outstanding issues at the Trail Canyon Mine and the Bear Canyon Mine. The Division sent you a letter on August 30, 1990, expressing concern about confusion of regulatory responsibility at these mines.

This letter is to again express Division concern and advise you of the seriousness of the issues.

Five Year Permit Renewal

The Division determined the Five-Year Permit Renewal application administratively complete on September 1, 1990. The cover letter advised Mr. Kim Mangum of the fact that there are major issues that need to be resolved when the Technical Deficiency document is issued. A FAX of the draft Technical Deficiency (TD) document was given to Mr. Kim Mangum on September 17, 1990, and the TD document was sent September 20, 1990. All of the necessary information to make the plan technically adequate must be submitted to the Division by no later than October 19, 1990.

The permit for the Bear Canyon Mine expires on November 1, 1990. If the permit is not renewed by that time the Division could issue a Cessation Order. It is incumbent upon Co-Op Mining Company to acquire the necessary resources to respond adequately to the issues at this time.

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NOTICES OF VIOLATION

Bear Canyon Mine

NOV N90-35-01-01

The culvert on the coal pad must be cleaned and graded to original culvert level by October 10, 1990 and the erosion must be repaired on the outslope.

NOV N90-32-03-01

A plan must be submitted by October 10, 1990 regarding stabilization and identification of substitute topsoil.

NOV N90-25-01-01

A revised drainage plan must be submitted by October 19, 1990.

Trail Canyon Mine

NOV N90-32-02-01

A revised drainage plan was not submitted to the Division by September 24, 1990. An FTA/CO was issued September 25, 1990. The FTA/CO was in effect at a potential penalty of \$750.00/day until October 3, 1990.

Permit Changes

Main Culvert Extension at Bear Canyon Mine

A main culvert extension was submitted by Co-Op Mining Company on July 2, 1990. Due to the extent of disturbance, Mr. Kim Mangum withdrew this permit change on August 3, 1990. A revised culvert extension was submitted September 24, 1990. There are still deficiencies (issue letter sent 10/5/90) and the approval before the end of construction season is doubtful.

Other Issues

Ball Park Topsoil Storage Area

A letter was sent to Mr. Kim Mangum on August 17, 1990 regarding disking of this area by October 1, 1990 and seeding by October 15, 1990. Disking had not been completed by October 1, 1990.

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Sedimentation Pond "A" Cleanout at Bear Canyon Mine

The cleanout of the sedimentation pond has been advised by the Division for a long time. A letter was sent (August 29, 1990) stating that the pond must be cleaned and surveyed by September 30, 1990, and notification sent to the Division that it had been completed and surveyed. On October 2, 1990, Bill Malencik noted that the pond was partially cleaned.

There are many issues. This letter is to reinforce and inform you about the seriousness of the issues at the Bear Canyon Mine and the Trail Canyon Mine. As was stated before in the August 30, 1990 letter to you, a coordinated coal regulatory effort is needed. Otherwise, confusion and costly and unnecessary delays result. The need to pursue all issues at both mines in a timely and adequate manner is paramount to avoid jeopardizing future mining operations.

Please call me as soon as possible about the resolution of these concerns.

Sincerely,



Lowell P. Braxton
Associate Director, Mining

PGL/djh
cc: K. Mangum, Co-Op Mining Co.
P. Grubaugh-Littig
AT45/6-8