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State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Norman H. Bangertter
Governor

Dee C. Hansen
Executive Director

Dianne R. Nielson, Ph.D.
Division Director

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

March 20, 1992

CERTIFIED RETURN RECEIPT REQUESTED
P 074 979 201

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

Dear Mr. Owen:

Re: Division Order, Co-Op Mining Company, Bear Canyon Mine, ACT/015/025,
Folder #3, Emery County, Utah

Enclosed please find a Division Order and Finding of Permit Deficiency for the Bear Canyon Mine. If in your review of this order you have any questions, please call me or Pamela Grubaugh-Littig, Permit Supervisor.

Sincerely,

A handwritten signature in cursive script that reads "Lowell P. Braxton".

Lowell P. Braxton
Associate Director, Mining

jbe

Enclosure

cc: J. Helfrich
P. Grubaugh-Littig
H. Klein

A:\DOBCM.LTR

STATE OF UTAH
DIVISION OF OIL, GAS AND MINING

PERMITTEE

Wendell Owen
Co-Op Mining Company
Bear Canyon Mine
P.O. Box 1245
Huntington, Utah 84528

ORDER & FINDINGS
of
PERMIT DEFICIENCY

PERMIT NUMBER ACT/015/025
DIVISION ORDER # DO-92A

PURSUANT to R645-303-212, the DIVISION ORDERS the PERMITTEE, Co-Op Mining Company, to make the permit changes enumerated in the findings of permit deficiency in order to be in compliance with the State Coal Program. These findings of permit deficiency are to be remedied in accordance with R645-303-220.

Findings of Permit Deficiency

742. Sediment Control Measures.

742.100. General Requirements.

742.110. Appropriate sediment control measures will be designed, constructed and maintained using the best technology currently available to:

742.111. Prevent, to the extent possible, additional contributions of sediment to stream flow or to runoff outside the permit area;

742.112. Meet the effluent limitations under R645-301-751; and

742.113. Minimize erosion to the extent possible.

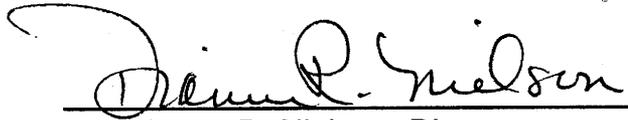
Currently the permit does not contain information as to how BTCAs are designed to prevent additional contributions of sediment or minimize erosion to the extent possible. In addition, the areas designated as BTCA are not utilizing the best technology currently available. Subsequently, erosion is not being minimized to the extent possible which may also cause additional contributions of sediment to runoff and/or stream flow outside the permit area.

The operator shall submit a plan containing the design construction and maintenance of BTCA measures for each area designated as "BTCA". When the BTCA is not a sediment pond, the operator shall demonstrate why it is not possible to utilize such a structure.

Order

It is hereby ordered that Co-Op Mining Company make the requisite permit changes in accordance with R645-303-220 and submit a complete application for permit change, addressing the findings of permit deficiency by no later than April 30, 1992.

Ordered this 20th day of March, 1992, by the Division of Oil, Gas, and Mining.



Dianne R. Nielson, Director
Division of Oil, Gas and Mining