



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

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March 25, 1992

CERTIFIED RETURN RECEIPT REQUESTED
P 074 979 202

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-DO-92B, 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,

Lowell P. Braxton
Associate Director, Mining

jbe
Enclosure
cc: J. Helfrich
P. Grubaugh-Littig
H. Klein
T. Munson
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-92B

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

The original Technical Analysis was approved on October 30, 1985. In that Technical Analysis a finding was made regarding stream buffer zones and sign placement, and this information was shown on Plate 2-2. When the plates were resubmitted in February, 1991, the stream buffer zone sign placement was left off of plate 2-2. The Division considers this to be a permitting oversight that will be corrected with a Division Order.

Regulations Cited

- 731.600. Stream Buffer Zones.
- 731.610. No land within 100 feet of a perennial stream or an intermittent stream will be disturbed by coal mining and reclamation operations, unless the Division specifically authorizes coal mining and reclamation operations closer to, or through, such a stream. The Division may authorize such activities only upon finding that:

- 731.611. Coal mining and reclamation operations will not cause or contribute to the violation of applicable Utah or federal water quality standards and will not adversely affect the water quantity and quality or other environmental resources of the stream; and
- 731.612. If there will be a temporary or permanent stream channel diversion, it will comply with R645-301-742.300.
- 731.620. The area not to be disturbed will be designated as a buffer zone, and the operator will mark it as specified in R645-301-521.260.

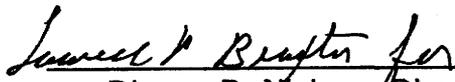
Finding

The operator has failed to update his PAP to reflect the placement of stream buffer zone signs as originally shown Plate 2-2 and approved in the final Technical Analysis of October 30, 1985. The Division requests the operator put back the stream buffer zone signs on the Surface Facilities Plate and provide justification for the stream buffer zone in the PAP according to the requirements of the above rules.

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 26 day of March, 1992, by the Division of Oil, Gas, and Mining.



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