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# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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Division Director

355 West North Temple  
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Salt Lake City, Utah 84180-1203  
801-538-5340

May 5, 1992

CERTIFIED RETURN RECEIPT REQUESTED  
P 074 979 231

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

Dear Mr. *Wendell* Owen:

Re: Division Order, Co-Op Mining Company, Bear Canyon Mine, ACT/015/025-DO-92D, 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.

Best regards,

A handwritten signature in cursive script, appearing to read 'Dianne'.

Dianne R. Nielson  
Director

jbe  
Enclosure  
cc/enc: L. Braxton  
J. Helfrich  
P. Grubaugh-Littig  
J. Kelley.  
A:\DO.LTR

STATE OF UTAH  
DIVISION OF OIL, GAS AND MINING

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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-92D

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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

R645-301-553.520 states that the requirements of R645-301-553.110 and R645-301-553.120 which mandate elimination of highwalls during final reclamation "will not apply to remaining operations where the volume of all reasonably available spoil is demonstrated in writing to the Division to be insufficient to completely backfill the reaffected or enlarged highwall."

Division Order 90A, issued November 27, 1990, required that the Permittee recalculate the volume of material available for final backfilling and grading. In redoing the volume estimates using upgraded maps, the permittee found that there is adequate material available to completely eliminate all highwalls, whereas the original PAP provided only for reduction of the highwalls. Consequently, the Permittee committed, in a December 30, 1991 submittal to the Division, to completely eliminate all highwalls and amended PAP text and maps to reflect that commitment.

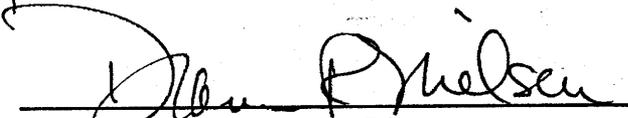
The Division finds the permit deficient in that, despite the requirements of R645-301-553.520 and the permittee's commitment to reclaim the highwalls, it still refers, in several places, to "residual" or "reduced" highwalls. Such references are found on pages 3-74, 3F-21, 3F-22 and 3F-23 of the PAP.

In order to comply with the R645 rules, the permittee must eliminate from the PAP all references to partially-retained highwalls in final reclamation. The references listed above are the more obvious, but there may be others. All such references must be eliminated from all parts of the PAP.

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 May 22, 1992.

Ordered this 5th day of May, 1992, by the Division of Oil, Gas, and Mining.

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