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# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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Salt Lake City, Utah 84180-1203  
801-538-5340

*Mine file*

June 11, 1992

CERTIFIED RETURN RECEIPT REQUESTED  
No. 540 713 904

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

Dear Mr. Owen:

Re: Request for Assessment Conferences and/or Fact of Violation Conferences, Bear Canyon Mine, Co-Op Mining Company, ACT/015/025, Emery County, Utah

On June 4, 1992, the Division received requests for the informal agency actions noted below:

NOV N92-40-10-1: Request for fact of violation and assessment conference.

NOV N92-40-10-2: Request for fact of violation and assessment conference.

FTA CO C92-40-1-1 and NOV N92-40-9-1: Request for fact of violation conference NOV and resultant FTACO, and assessment conference for NOV.

NOV N92-40-3-2: Assessment conference.

NOV N92-40-8-1: Request for fact of violation and assessment conference.

A review of the Division's records indicates that all of these requests meet the time requirements of the Utah Coal Regulatory Program.

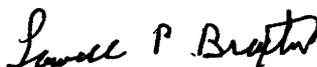
The above-cited requests were submitted by Kimly Mangum, purported agent for Co-Op Mining Company. Rule R645-401-710 states that requests for informal conferences will be made in writing by the permittee (emphasis added). There is no record of Mr. Magnum being the permittee or resident agent.

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I am reluctant to deny the request for informal agency action, however, I feel that procedurally the request must come from the permittee or the registered agent. You are the appropriate person to make the above request, consequently, I am extending the time frame for a request from you by two weeks from the receipt date of this certified letter.

I believe the continuity of Co-Op's field compliance program would be greatly enhanced by your participation in these actions. It is difficult to be responsible for field compliance while delegating the informal compliance appeals to other parties. Should you as resident agent for Co-Op choose to request any of the above-referenced informal conferences, I believe it would be beneficial for you to attend. As noted above, please respond within the two-week time frame following receipt of this letter.

Sincerely,



Lowell P. Braxton  
Associate Director, Mining

vb  
cc: Kimly C. Magnum, MEC  
D. Nielson  
J. Helfrich  
P. Grubaugh-Littig  
coopac