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

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February 23, 1994

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

Re: Denial of Tank Seam Proposal, Co-Op Mining Company, Bear Canyon Mine, ACT/015/025-93B, Folder #3, Emery County, Utah

Dear Mr. Owen:

The proposal to build a road and portal to access the Tank Seam is a significant revision to the current Bear Canyon Mine permit. This proposal includes the construction of an access road, 3000 feet in length, at a 9 to 15 percent grade. The road traverses across outcrops, colluvium, and terrace slopes averaging 35 degrees.

The mining and reclamation plan must provide the basis for determining whether or not the backfilling and grading plan proposed by the applicant will (1) minimize off-site effects, (2) achieve a final surface configuration which closely resembles the general surface configuration of the land prior to mining, and (3) provides a subsurface foundation for a vegetative cover capable of stabilizing the surface from erosion and (4) supporting the approved postmining land use.

Pursuant to R645-300-133.710, the Division must find that the applicant has: "Demonstrated that reclamation as required by the State Program can be accomplished according to information given in the permit application". The Division has reviewed the resubmittal of the Tank Seam proposal and found that the proposal does not demonstrate that the reclamation of the Tank Seam road can be accomplished according to the information given in this application for the permit change.

Conditions for the reclaimed road and portal to be stable **require** compaction of the fill material in eight-inch lifts according to the engineering report prepared by Dames and Moore. If the constructed lifts are eight-inch lifts, it is reasonable to require that the maximum size of the material to be placed in the lifts be limited to eight-inches to afford proper compaction. Outcrop material will be blasted during



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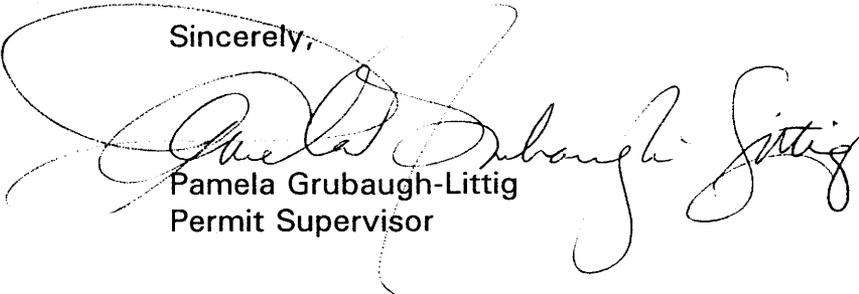
the construction and a significant amount of the material may fall into the oversize category and not be suitable for fill. The proposal states, however, that the construction of the operational fills will have material compacted in three-foot lifts, which does not meet the static safety factor for "constructed" compacted fills, as presented in the engineering report. Based on this inconsistency, the plan fails to meet the engineering design and performance standards.

The reclaimed slopes are not found to be suitable for the topsoil adherence and re-establishment of vegetative cover or erosional stability. In accordance with R645-301-242.110 through .130, "topsoil must be redistributed in a manner that achieves an approximately uniform stable, thickness consistent with the approved postmining land use, contours, and surface-water drainage systems as well as prevent excess compaction of the material (for plant root penetration) and protect the material from wind and water erosion before and after seeding and planting". Additionally, surface roughness for water holding and erosion control, which is essential for successful revegetation, is eliminated by the compaction requirement.

The proposal for reclaimed drainages associated with this portal access road does not support a finding that the drainages will be designed, located, constructed and maintained to be stable. The plan presents globally-applied criteria on a watershed by watershed basis and ignores site specific criteria for the Tank Seam. The proposal for riprapping of the reclaimed channel in this steep environment has a strong probability of failure based on the forces which come to bear on the riprap. The design of the riprap for the culverts, taken from the table on page 7G-24A, would require 15-inch to 30-inch riprap, which is well outside the realm of stable engineering design.

Pursuant to R645-311-131.200, "The application for a permit or permit change will have the burden of establishing that their application is in compliance with all the requirements of the State Program". An affirmative finding that reclamation as required by the State Program of the Tank Seam road cannot be concluded with the current proposal and is therefore, denied, pending resolution of the above problems.

Sincerely,



Pamela Grubaugh-Littig
Permit Supervisor

cc: Lowell P. Braxton