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U.S. Department of Labor

Mine Safety and Health Administration
P.O. Box 25367
Denver, Colorado 80225-0367
Coal Mine Safety and Health
District 9



September 24, 2004

Mary Ann Wright, Associate Director of Mining
State of Utah, Department of Natural Resources
Division of Oil, Gas and Mining
P.O. Box 145801
Salt Lake City, UT 84114-5801

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DIV. OF OIL, GAS & MINING

RE: Battery Coal Hauler
Bear Canyon #1 Mine, ID No. 42-01697

Dear Ms. Wright:

This responds to inquiries from your Division regarding the possibility of retrieving a battery coal hauler and other equipment from the sealed Bear Canyon #1 Mine, located near Huntington, Emery County, Utah. This mine was permanently sealed in January 2004.

Mining in the Bear Canyon #1 Mine was conducted in both the Blind Canyon and Hiawatha seams. These seams are separated by up to 80 feet of interburden with the Hiawatha seam below the Blind Canyon seam. This double seam mining causes unique adverse roof and rib conditions and mine ventilation problems.

The occurrences that led to the sealing of the mine are detailed below. A roof fall occurred during retreat mining in the Hiawatha seam on January 14, 2003. This fall, which was approximately 250 feet long, 20 feet wide, and at least 10 feet high, buried the equipment in question. Due to its massive size, the operator did not cleanup the fall and decided to move out of the area.

On June 23, 2003, a roof fall occurred in the conveyor belt entry at the intersection with No. 15 crosscut. The fall was approximately 25 feet long, 30 feet wide, and 7 to 8 feet high. A sand channel ran through this area and the roof consisted of mudstone/siltstone. At this time, no mining was being done in the Hiawatha seam. The workings in that seam were being used as a bleeder system for mining in the Blind Canyon seam.

On June 30, 2003, a roof fall occurred in the intake air entry between Nos. 15 and 16 crosscuts. The fall was 17 feet wide, 12 feet long, and 6 feet high. Because of adverse roof conditions in this area, additional roof support (cribs) had previously been installed along both sides and down the center of the entry. The

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roof continued to fall on the inby side of the initial fall as efforts to re-support the area failed.

With falls in the belt and intake air entries, the only entry remaining open was the return entry. This entry was also experiencing adverse roof conditions and additional cribs were installed in it. The mine operator started rehabilitation of the intake air entry in an effort to retrieve the equipment left inby the fall area. By October 31, 2003, approximately 100 feet of steel I-beams had been installed on the outby side of the fall to within approximately 20 feet of the original fall. During this time, the roof in other parts of the mine continued to deteriorate. A citation issued on November 4, 2003, stated in part, "deteriorating roof conditions have made access to two of these seals hazardous, and two others impossible." Because of the bad roof conditions, the Mine Safety and Health Administration (MSHA) allowed the operator to make weekly air examinations at locations only as far into the two seams as could be safely traveled.

Due to the adverse roof conditions in both seams, mine management decided to seal the mine rather than continue operations and risk injury to its employees.

In my opinion, it is neither prudent nor safe to reenter the mine to retrieve the equipment that was left there. This equipment is buried under substantial roof falls and is located inby caved areas and areas with severe adverse roof conditions. As the approving authority for MSHA, I would find it extremely difficult to approve mining plans to allow this work.

If there are any questions regarding this matter, please contact me at 303/231-5559.

Sincerely yours,



Allyn C. Davis
District Manager