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State of Utah

Department of
Natural Resources

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Division of
Oil, Gas & Mining

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August 23, 2004

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

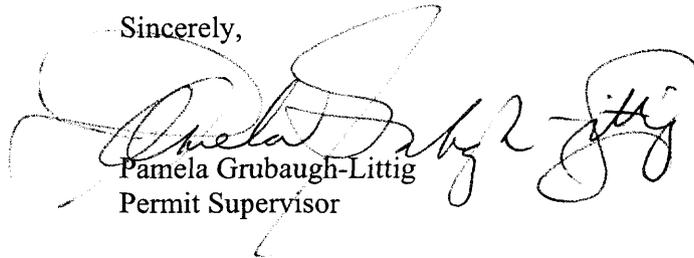
Re: Culvert Removal, Co-Op Mining Company, Bear Canyon Mine, C/015/0025,
Task ID #1988, Outgoing File

Dear Mr. Owen:

The above-referenced amendment has been reviewed. There are deficiencies that must be adequately addressed prior to approval. A copy of our Technical Analysis is enclosed for your information. In order for us to continue to process your application, please respond to these deficiencies by September 30, 2004.

If you have any questions, please call me at (801) 538-5268 or Jim Smith at (801) 538-5262.

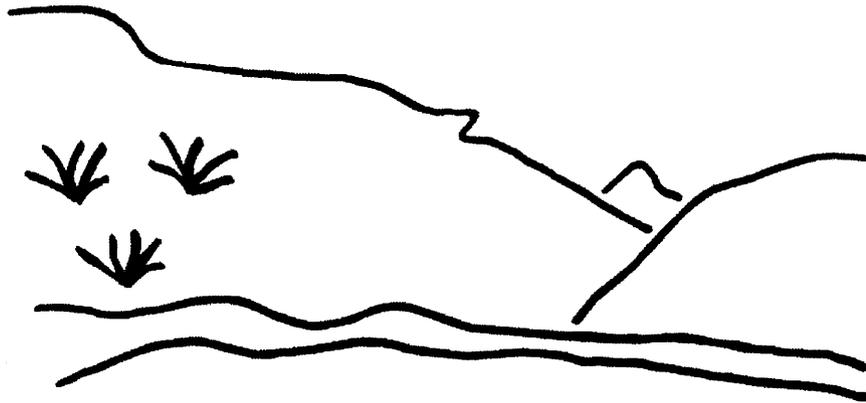
Sincerely,



Pamela Grubaugh-Littig
Permit Supervisor

an
Enclosure
cc: Price Field Office
O:\015025.BCN\FINAL\DEF1988.DOC

State of Utah



Utah Oil Gas and Mining

Coal Regulatory Program

Bear Canyon Mine
Culvert Removal
C/015/0025, Task # 1988
Technical Analysis
August 16, 2004

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TECHNICAL ANALYSIS

TECHNICAL ANALYSIS

The Division ensures compliance with the Surface Mining Control and Reclamation Act of 1977(SMCRA). When mines submit a Permit Application Package or an amendment to their Mining and Reclamation Plan, the Division reviews the proposal for conformance to the R645-Coal Mining Rules. This Technical Analysis is such a review. Regardless of these analyses, the permittee must comply with the minimum regulatory requirements as established by SMCRA.

Readers of this document must be aware that the regulatory requirements are included by reference. A complete and current copy of these regulations and a copy of the Technical Analysis and Findings Review Guide can be found at <http://ogm.utah.gov/coal>

This Technical Analysis (TA) is written as part of the permit review process. It documents the Findings that the Division has made to date regarding the application for a permit and is the basis for permitting decisions with regard to the application. The TA is broken down into logical section headings, which comprise the necessary components of an application. Each section is analyzed and specific findings are then provided which indicate whether or not the application is in compliance with the requirements.

Often the first technical review of an application finds that the application contains some deficiencies. The deficiencies are discussed in the body of the TA and are identified by a regulatory reference, which describes the minimum requirements. In this Technical Analysis we have summarized the deficiencies at the beginning of the document to aid in responding to them. Once all of the deficiencies have been adequately addressed, the TA will be considered final for the permitting action.

It may be that not every topic or regulatory requirement is discussed in this version of the TA. Generally only those sections are analyzed that pertain to a particular permitting action. TA's may have been completed previously and the revised information has not altered the original findings. Those sections that are not discussed in this document are generally considered to be in compliance.

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TECHNICAL ANALYSIS

INTRODUCTION

INTRODUCTION

CO-OP Mining submitted this proposed amendment on August 4, 2004. It involves changes to the Company Officers and Directors, removal of a culvert, and enlarging of a ditch.

Additional information is needed to meet the requirements of the Coal Mining Rules. The proposed amendment should not be approved until the deficiencies identified in this Technical Analysis have been addressed satisfactorily.

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INTRODUCTION

SUMMARY OF DEFICIENCIES

SUMMARY OF DEFICIENCIES

The Technical analysis of the proposed permit changes cannot be completed at this time. Additional information is requested of the permittee to address deficiencies in the proposal. A summary of deficiencies is provided below. Additional comments and concerns may also be found within the analysis and findings made in this Draft Technical Analysis. Upon finalization of this review, any deficiencies will be evaluated for compliance with the regulatory requirements. Such deficiencies may be conditioned to the requirements of the permit issued by the division, result in denial of the proposed permit changes, or may result in other executive or enforcement action and deemed necessary by the Division at that time to achieve compliance with the Utah Coal Regulatory Program.

Accordingly, the permittee must address those deficiencies as found within this Draft Technical Analysis and provide the following, prior to approval, in accordance with the requirements of:

Regulations

- R645-301-121.200**, The page number is needed on the FlowMaster printout submitted to replace page 7G-187..... 9
- R645-301-512.120, -521.167, -731.720**, Updated Plate 2-4F needs to be certified. When updated, Plate 7-1G will need to be certified..... 10
- R645-301-731.710**, To minimize confusion and facilitate inspection, Plate 7-1G needs to show that culvert C-37U has been abandoned in-place and that ditches D-37U and D-38U are now effectively a single, continuous ditch..... 10

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SUMMARY OF DEFICIENCIES

GENERAL CONTENTS

GENERAL CONTENTS

IDENTIFICATION OF INTERESTS

Regulatory Reference: 30 CFR 773.22; 30 CFR 778.13; R645-301-112

Analysis:

Effective 07/01/2004, C. W. Reynolds became Vice President of C. W. Mining and Mine Manager, replacing, respectively, J. A. Gustafson and Wendell Owen.

Charles Reynolds has replaced Wendell Owen as the Resident Agent.

Findings:

Identification of Interests information in the mine plan is sufficient to meet the requirements of the Coal Mining Rules.

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GENERAL CONTENTS

OPERATION PLAN

OPERATION PLAN

HYDROLOGIC INFORMATION

Regulatory Reference: 30 CFR Sec. 773.17, 774.13, 784.14, 784.16, 784.29, 817.41, 817.42, 817.43, 817.45, 817.49, 817.56, 817.57; R645-300-140, -300-141, -300-142, -300-143, -300-144, -300-145, -300-146, -300-147, -300-148, -301-512, -301-514, -301-521, -301-531, -301-532, -301-533, -301-536, -301-542, -301-720, -301-731, -301-732, -301-733, -301-742, -301-743, -301-750, -301-761, -301-764.

Analysis:

Diversions: General

Culvert C-37U has been abandoned in place, as shown in revised Table 7.2-11 and the table on page 7G-48. The culvert carried runoff from watershed AU-21 under the road to the Tank Seam Portal. Runoff from AU-21 is now combined with runoff from watershed AU-26 and the road, and flows alongside the road in combined ditches D-37U and D38U, which effectively are now a single ditch.

The parameters for ditch D-37U have been recalculated, using FlowMaster software. A copy of the FlowMaster printout is included to replace page 7G-187; however, the new page is not numbered. Calculations are summarized in Table 7.2-10. Peak flow (Q) input is now 1.25 cfs (more than a 10-fold increase from the 0.10 cfs used previously) because of the abandonment of culvert C-37U. Other input parameters remain unchanged. Among the new values calculated, depth has increased from 0.2 to 0.52 foot, and critical depth from 0.23 to 0.63 foot.

As-built dimension of ditch D-37U have been increased from 1 foot wide by 0.5 foot deep to 1.4 feet wide and 0.7 foot deep, as shown in the revised table on page 7G-100. This leaves 0.18 foot of freeboard above calculated depth and only 0.07 foot of freeboard above critical depth: this is less than ideal and the smallest freeboard for any ditch at this mine, but the surface of the road itself is sloped in towards the ditch, so this minimal freeboard should be sufficient to prevent uncontrolled drainage over the roadway (from a 10-year, 6-hour storm event).

Findings:

R645-301-121.200, The page number is needed on the FlowMaster printout submitted to replace page 7G-187.

MAPS, PLANS, AND CROSS SECTIONS OF MINING OPERATIONS

Regulatory Reference: 30 CFR Sec. 784.23; R645-301-512, -301-521, -301-542, -301-632, -301-731, -302-323.

Analysis:

Mining Facilities Maps

Locations of the powder magazine and the cap magazine have been added to Plate 2-4F.

Culvert C-37U has been abandoned in-place and flow is now continuous from ditch D37-U into ditch D-38U. To minimize confusion, especially during inspections, Plate 7-1G needs to be updated to show that culvert C37-U has been abandoned in-place and that ditches D-37U and D-38U are now effectively a single ditch.

Certification Requirements

Under R645-301-512.120 and R645-301-512.167, explosive storage and handling facilities are to be shown on a certified map. The updated Plate 2-4F is not certified.

Findings:

R645-301-731.710, To minimize confusion and facilitate inspection, Plate 7-1G needs to show that culvert C-37U has been abandoned in-place and that ditches D-37U and D-38U are now effectively a single, continuous ditch.

R645-301-512.120, -521.167, -731.720, Updated Plate 2-4F needs to be certified. When updated, Plate 7-1G will need to be certified.