

UTAH DIVISION OF OIL, GAS AND MINING  
STATE DECISION DOCUMENT

For  
PERMIT RENEWAL

Bear Canyon Mine  
Co-Op Mining Company  
C/015/0025  
Emery County, Utah

November 2, 2005

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## **ADMINISTRATIVE OVERVIEW**

Bear Canyon Mine Permit Renewal  
Co-Op Mining Company  
C/015/0025

November 2, 2005

### **Background**

The Bear Canyon Mine is a mine permitted by Co-Op Mining Company in the Huntington Canyon area. Room and pillar mining occurs in the Bear Canyon seam (middle seam) the Hiawatha seam (lower seam) and the Tank Seam. The addition of the federal leases associated with the Wild Horse Ridge Area received mining plan approval in February 2002. The permit area encompasses 3416.18 acres and the disturbed area is 36.64 acres.

### **Public Notice and Informal Conference**

The applicant submitted the permit renewal application on July 5, 2005. A deficiency letter was sent on August 16, 2005. The application was determined administratively complete on September 8, 2005. The applicant published notice for the five-year permit renewal for four consecutive weeks in the Emery County Progress, ending on October 11, 2005.

A concern letter was filed by Huntington-Cleveland Irrigation Company on October 14, 2005. A letter to Huntington-Cleveland Irrigation Company was sent by the Division on October 31, 2005 clarifying that the permit renewal does not require the Division to update the Cumulative Hydrologic Impact Assessment.

Since the Bear Canyon Mine permit expires on November 2, 2005, the Division will renew the permit on that date, with the condition that if an objection letter is received and an informal conference requested, Co-Op Mining Company must comply with the Order issued as a result of the Informal Conference for this permit renewal. The end of the public comment period is November 14, 2005.

### **Recommendation for Approval**

The Division made the decision on November 2, 2005 to approve the permit renewal for five years based on the fact that 1) The terms and conditions of the existing permit are being satisfactorily met; 2) The present coal mining and reclamation operations are in compliance with the environmental protection standards of the State Program; 3) The renewal does not substantially jeopardize the operator's continuing ability to comply with the State Program on existing permit areas; 4) The operator has provided evidence of having liability insurance and a performance bond which will be in effect for the operation and will continue in full force and effect; and 5) The permit is conditioned with the requirement to comply with any order issued as a result of an Informal Conference held as a result of this permit renewal. The end of the public comment period is November 14, 2005.

## CHRONOLOGY

Bear Canyon Mine Permit Renewal  
Co-Op Mining Company  
C/015/0025  
November 2, 2005

- July 5, 2005 Co-Op Mining Company submits permit renewal application.
- August 16, 2005 Division notifies Co-Op Mining Company that there are four deficiencies that must be corrected prior to determining the permit renewal application administratively complete.
- September 8, 2005 Co-Op Mining Company submits information to satisfy the permit renewal application deficiencies. The application is determined administratively complete.
- September 15, 2005 The Division notifies local, state, and federal agencies as well as water users that the permit renewal application for the Bear Canyon Mine is administratively complete.
- September 20, 27 and  
October 4 and  
11, 2005 Co-Op Mining Company advertises public notice of permit renewal for the Bear Canyon Mine for four consecutive weeks in the Emery County Progress.
- October 14, 2005 Letter from Huntington-Cleveland Irrigation Company states concerns about the permit renewal but does not request an informal conference.
- November 2, 2005 Division renews the Bear Canyon Mine permit with two conditions. One of the conditions requires Co-Op Mining Company to comply with any Order issued as a result of an Informal Conference if there is a request. The end of the public comment period is November 14, 2005.

## PERMIT RENEWAL FINDINGS

Bear Canyon Mine  
Co-Op Mining Company  
C/015/0025

November 2, 2005

1. The permit renewal term will not exceed the original permit term of five years (R645-303-234).
2. The terms and conditions of the existing permit are being met. See original TA and TA modified November 3, 2005 (R645-303-233.110).
3. The present coal mining and reclamation operations are in compliance with the environmental protection standards of the Act and the Utah State Program. (R645-303-233.120).
4. The requested renewal will not substantially jeopardize the operator's continuing ability to comply with the Act and the Utah State Program. See original TA and TA modified November 3, 2005. (R645-303-233.130).
5. The operator has provided evidence of maintaining liability insurance in full effect (AIG Policy 32602136)(R645-303-233.140).
6. The operator has a Surety Bond on file with the Division and has provided evidence that this instrument will remain in full effect. (Surety Bond #L06-01-C-015-025 in the amount of \$1,825,000 issued by Lyndon Property Insurance Company) (R645-303-233.150).
7. To date, the operator has submitted updated information as required by the Division through this permit term. (R645-233.160).

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Permit Supervisor

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Permit Supervisor

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Associate Director of Mining

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Director