



State of Utah

**Department of
Natural Resources**

MICHAEL R. STYLER
Executive Director

**Division of
Oil, Gas & Mining**

JOHN R. BAZA
Division Director

JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

January 25, 2006

Charles Reynolds, General Manager
Co-Op Mining Company
P.O. Box 1245
Huntington, Utah 84528

Subject: Conditional Approval of Auxiliary Portal, Co-Op Mining Company, Bear Canyon #4 Mine, C/015/0025, Task ID #2379, Outgoing File

Dear Mr. Reynolds:

The Division has completed its review of your December 5, 2005 deficiency response received for the proposed auxiliary portal for the #4 Mine Tank seam workings. The mine plan amendment is conditioned upon receipt of seven clean copies prepared for incorporation. The Permittee must also provide the Division with a sediment control design plan for the #4 Mine auxiliary portal surface disturbance, within 30 days following completion of the proposed construction activities.

Once the Division receives the clean copies, final approval will be granted, and you may then proceed with your plans. Please submit these copies by February 3, 2006. An electronic copy of our Technical Analysis is enclosed with this conditional approval for your reference.

The review of this application did not include a review of the two pages of proposed bond reduction, (pages 3-86 and 3-87), because the Division cannot grant a reduction in bond amount until a Phase 1 bond release inspection of the reclaimed portals has been completed. Accordingly, pages 3-86 and 3-87 do not need to be included in the seven clean copies requested above.

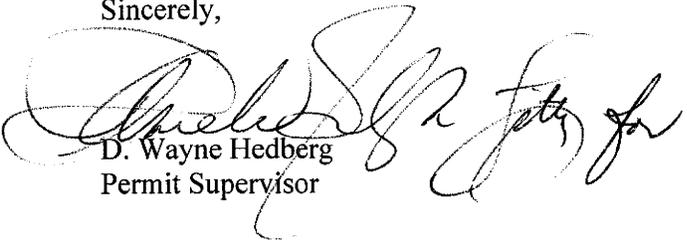
Although the R645 Coal Mining Rules are not specific about clearance requirements for escapeways, the Mine Safety and Health Administration (MSHA) 30 CFR rules are. It is the Division's opinion, that the proposed foot path to connect the auxiliary portal to the #3 Mine portal area and/or the #3 conveyor coal storage tube, *should be developed* to meet the clearance requirements, as well as the other safety standards as required by 30 CFR 75.380 and 30 CFR 77.205.

OK

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Charles Reynolds
January 27, 2006

If you should have any questions, please call me at (801) 538-5286, or
Peter Hess at (435) 613-1146 ext. 203.

Sincerely,



D. Wayne Hedberg
Permit Supervisor

PHH/sd
Enclosure
cc: Price Field Office
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