

From: Stephanie Dunlap
To: Dale Harber
Date: 2/17/2006 3:16:30 PM
Subject: Bear Canyon Mine (N06-46-1-1) DOGM Violation

Attached you will find the state violation that was issued by DOGM staff.

Bear Canyon Mine, C/015/025, 02/03/2006, N06-46-1-1.

Failure to...collect baseline water monitoring data during August 2005.

If you need a signed hard copy of any violation, please do not hesitate to contact me. Thank you.

Stephanie Dunlap
(435) 613-1146 x 200
stephaniedunlap@utah.gov

CC: Carter Reed; James Kohler; Pam Grubaugh-Littig; Robert Herbert; Sheila Morrison;
Walter Baker



3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340

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notice of violation

NO. N06-46-1-1
"Failure to Collect Baseline Water Monitoring Data During August 2005"

To the following Permittee or Operator:

Name CO-OP Mining Company

Mine Bear Canyon Mines Surface Underground Other

County Emery State Utah Telephone (435) 687-2450

Mailing Address P.O. Box 1245, Huntington, UT 84526

State Permit No. C/015/025

Ownership Category State Federal Fee Mixed

Date of inspection 2/1/2006, 19__

Time of inspection 8 a.m. p.m. to 8 a.m. p.m.

Operator Name (other than Permittee) NA

Mailing Address _____

Under authority of the Utah Coal Mining and Reclamation Act, Section 40-10-1 et seq., *Utah Code Annotated*, 1953, the undersigned authorized representative of the Division of Oil, Gas & Mining has conducted an inspection of above mine on above date and has found violation(s) of the act, regulations or required permit condition(s) listed in attachment(s). This notice constitutes a separate Notice of Violation for each violation listed.

You must abate each of these violations within the designated abatement time. You are responsible for doing all work in a safe and workmanlike manner.

The undersigned representative finds that cessation of mining is is not expressly or in practical effect required by this notice. For this purpose, "mining" means extracting coal from the earth or a waste pile, and transporting it within or from the mine site.

This notice shall remain in effect until it expires as provided on reverse side of this form, or is modified, terminated or vacated by written notice of an authorized representative of the director of the Division of Oil, Gas & Mining. Time for abatement may be extended by authorized representative for good cause, if a request is made within a reasonable time before the end of abatement period.

Date of service/ mailing Feb. 7³, 2006 Time of service/ mailing 9⁴⁵ a.m. p.m.

Mark Reynolds
Permittee/Operator representative

Permitting Co-ordinator
Title

Mailed/Faxed from PFO/DOG M
Signature

Peter Hess
Division of Oil Gas & Mining representative

Environmental Scientist III
Title

Peter Hess
Signature

#46
Identification Number

SEE REVERSE SIDE

WHITE-DOG M YELLOW-OPERATOR PINK-OS M GOLDENROD-NOV FILE

DOG M/NOV-1

an equal opportunity employer

Rev. 5/92



NOTICE OF VIOLATION NO. N06-46-1-1

"Failure to Collect Baseline Water Monitoring Data during August 2005"

Violation No. 1 of 1

Nature of violation

1) Failure to analyze for additional water monitoring parameters for baseline data collection as required during August 2005 monitoring period for all active (surface and ground water monitoring points, (See page 7-53 of MRP).

Provisions of act, regulations or permit violated

- 1) R645-301-731, 214 Additional Ground Water Monitoring Requirements
2) R645-301-731, 224 Additional Surface Water Monitoring Requirements

Portion of operation to which notice applies

1) The Bear Canyon Mines Permit Area

Remedial action required (including any interim steps)

1) The Permittee must collect all required surface and ground water samples during August 2006, and analyze for all required parameters for baseline data collection; additional parameters include analysis for dissolved aluminum, arsenic, boron, cadmium, copper, lead, molybdenum, nitrogen, nitrite, nitrate, phosphate, selenium and zinc.

1) All required baseline data must be collected between August 1, and August 31, 2006 during low flow conditions. Collected analytical data shall be submitted with 3rd Quarter 2006 monitoring data.

WHITE-DOG M YELLOW-OSM PINK-PERMITTEE/OPERATOR GOLDENROD-NOV FILE