

TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

June 23, 2008

TO: Internal File

FROM: James D. Smith, Environmental Scientist I *JS*

RE: 2007 Midterm Permit Review, Bear Canyon Mine, Co-Op Mining Company,
C/015/0025, Task ID #2935

SUMMARY:

In a letter dated February 29, 2008, the Division informed the Permittee that the Division would be conducting a midterm review of the Bear Canyon Mine permit. The Division is required to review each active permit during its term, in accordance with R645-303-211. This review is to take place at the midpoint of the permit term. The permit was renewed May 5, 2004.

The Midterm Review for the Bear Canyon Mine has been scheduled and the pertinent items chosen for review are:

1. An AVS check to insure that Ownership and Control information is current and correct.
2. A review of the mine plan to ensure that the requirements of all permit conditions, division orders, notice of violation abatement plans, and permittee initiated plan changes are appropriately incorporated into the mine plan document.
3. A review of the applicable portions of the permit to ensure that the mine plan contains commitments for application of the best technology currently available (BTCA) to prevent additional contributions of suspended solids to stream flows outside of the permit area.

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4. A review of the bond to ensure that it is in order and that the cost estimate is accurate and is escalated to the appropriate year dollars.

5. The Division may conduct a technical site visit in conjunction with the assigned compliance inspector to document the status and effectiveness of operational, reclamation, and contemporaneous reclamation practices.

A midterm inspection was done April 15, 2008. Joe Helfrich, Jim Smith, Wayne Western, and Pete Hess represented the Division. Mark Reynolds represented the Permittee.

TECHNICAL ANALYSIS:

GENERAL CONTENTS

IDENTIFICATION OF INTERESTS

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

Analysis:

C.W. Mining is doing business as (DBA) Co-Op Mining Company. Ownership and Control are discussed in Section R645-301-112 of the MRP. This information was current as of November 3, 2005.

Findings:

Identification of Interests information is as of November 3, 2005.

VIOLATION INFORMATION

Regulatory Reference: 30 CFR 773.15(b); 30 CFR 773.23; 30 CFR 778.14; R645-300-132; R645-301-113

Analysis:

The Division checked OSM's AVS on June 23, 2008. There were no violations retrieved by the system.

Findings:

The Applicant is in compliance with this section of the Coal Mining Rules.

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, -300-147, -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:

Sediment Control Measures

The MRP contains commitments for application of BTCA to prevent additional contributions of suspended solids to stream flows outside of the permit area.

Sedimentation ponds and ASCAs are shown on Plates 7-1A through 7-1G. ASCAs are described in Appendix 7-K. Sizing calculation for sedimentation Ponds A, B, C, and D are in Appendix 7-F; cross sections are on Plates 7-2, 7-3, 7-6 and 7-11, respectively.

Findings:

The Applicant is in compliance with this section of the Coal Mining Rules.

RECOMMENDATIONS:

The Division should approve the midterm review.