



GARY R. HERBERT  
Governor

SPENCER J. COX  
Lieutenant Governor

# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

### Division of Oil, Gas and Mining

JOHN R. BAZA  
Division Director

October 12, 2017

Ken Fleck, Manager of Geology and Environmental Affairs  
Interwest Mining Company  
P.O. Box 310  
Huntington, Utah 84528

Subject: Final Revocation of Conditional Approval of Application for Permitting the Deer Creek Waste Rock Site, BRC Wellington, LLC, C/015/0035, Task #4966

Dear Mr. Fleck:

The Division conditionally approved the BRC Wellington permit for the Deer Creek Waste Rock Site on August 11, 2016. At the time the Division required posting of bond and passing an AVS check in order to complete the process and to issue a permit (under R645-303.340). To date no bond has been posted, and as of today BRC Wellington, LLC has several associated holds in the Office of Surface Mining's Applicant Violator System.

The Division notified BRC in May that if we did not receive the final information to complete the permit approval we would then revoke the conditional approval and require the Permittee to reclaim the site as soon as practicable. That requirement was generously extended by the Division to July 14 and finally to August 14, 2017. This date is well passed. By this letter I am officially notifying Interwest that the permit approval has been officially revoked, pursuant to R645-303-350. Although R645-303-310 allows a prospective successor to operate during the pendency of an application, the time for such discretion has met its limits. BRC have not met the requirements of R645-303-340.

This decision is subject to appeal to the Board of Oil, Gas and Mining and BRC may file a request pursuant to R645-130-200 within 30 days of this notification. If no appeal is requested, Interwest will need to reclaim the site as soon as practicable, or make other arrangements with an eligible operator.

If you have any questions, please call me at (801) 538-5320.

Sincerely,

Dana Dean, P.E.  
Associate Director

DD/ss

cc: Kyle Edwards, BRC  
Dennis Oakley, PacifiCorp  
Karl Houskeeper, DOGM

O:\015035.WRS\Bowie Revocation letterFinal-Interwest.docx

