

0021

May 22, 1987

FILE COPY

TO: File *[Handwritten initials]*
FROM: R. Harden *[Handwritten initials]*
RE: Relationship of Mine Facilities to Occupied Dwelling, Boyer Mine, Summit Coal Company, PRO/043/008, Folder No. 2, Summit County, Utah

On May 15, 1987, measurements were taken at the proposed Boyer Mine site, by Randy Harden and Lee Spencer, in order to determine if the requirements under UMC 782.16(c) were necessary for permit approval. Under this section of the regulations, "If an applicant proposes to conduct or locate surface operations or facilities within 300 feet of an occupied dwelling, the applicant shall include the waiver of the owner of the dwelling as required in UMC 761.12(e)."

Measurements taken at the site were as follows:

- o The distance from the eaves of the Boyer house, located to the southeast of the site, measured 385 feet to the closest disturbance found within the Boyer permit area.
- o The measured distance from the extreme southeast corner of the disturbed area permit boundary, as shown on the Boyer mine surface facilities map, to the eaves of the Boyer home is 355 feet. This measurement would be the closest distance from the mine site to the Boyer home, in which the operator would have a permit to conduct surface mining activities or disturbance.
- o The measured distance from the eaves, to the Boyer home, to the debris which was graded from a slide adjacent to and along the east side of the permit area, was found to be 345 feet at closest distance. The materials from the slide were moved, by the operator, to the adjacent property, from the mine site in order to mitigate the hazards of the slide encroaching on the site, and to help alleviate further slides from that area. This activity was not considered by the Division to be mining activities.

In summary, no proposed or planned mining activities are expected to be conducted within 300 feet of an occupied dwelling, and the requirement of a waiver from the landowner need not be met under section UMC 782.16(c) of the regulations.

jvb

cc: K. May
L. Braxton
S. Linner

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