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Environmentalists appeal state approval of tar sands mine

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An environmental group opposing a tar sands mine planned for eastern Utah's Book Cliffs on Monday filed an appeal based on water quality fears and asked the state to rescind its approval.

The Utah Division of Oil, Gas and Mining approved the permit two weeks ago, allowing Calgary, Alberta-based Earth Energy Resources to dig up bitumen-laced rock and soil near the boundary between Uintah and Grand counties. At first just 62 acres in Uintah, the project is meant to expand and operate in both counties.

The Moab-based group Living Rivers had until Monday to appeal Oil, Gas and Mining Division Director John Baza's decision to the division's board, and it did so with help from attorneys at Western Resource Advocates. Division spokesman Jim Springer said board appeals can take six months to a year to yield a decision.

The project has the potential to harm an already depleted and impaired Colorado River through runoff and promotion of greenhouse gas emissions, Living Rivers conservation director John Weisheit said.

"This is just an inappropriate activity when the nation and the world are trying to adjust to climate change," he said.

Springer said state mining regulators are charged with ensuring that mine plans include proper environmental protections and reclamation, not with deciding the appropriateness of any particular fuel.

Earth Energy Resources President Glen Snarr has claimed that the company controls a new citrus-based process that dissolves rock to separate the waxy bitumen into oil without creating toxic waste. But the company's application to the state leaves that technology's exact workings shrouded as the company's proprietary information, and environmentalists say that's unacceptable.



Tar sands operation gets ok Earth Energy Resources wants to operate one of Utah's first tar sands extraction plants on 62 acres of land atop the East Tavaputs Plateau.

“At some point, proprietary information has to stop and public accountability has to start,” said David Abelson, a Colorado-based spokesman for Western Resource Advocates. He questioned whether any solvent, citrus-based or not, could be safe for groundwater and runoff when it has to be strong enough to “basically melt your parking lot.”

“It has magical powers to somehow separate tar from rock and is somehow environmentally benign,” Abelson said skeptically.

The appeal seeks further review by the Division of Water Quality or a determination that the division has no jurisdiction, which Abelson said is a necessary step in the regulatory process in advance of a possible lawsuit.

Earth Energy executives did not return phone messages seeking comment since Friday, but Snarr sent an e-mail saying that the company’s process will return clean sand to the mine, use just 1.5 barrels of water per barrel of oil produced and recycle water on-site to prevent emissions. Asked about the safety and public accountability of a citrus-based solvent about which nothing is known publicly, he said it is enough for state regulators to have an understanding of the substance.

“It is not our position to debate the technical particulars of our process in the media,” he wrote. “This is the responsibility of the regulators and they have had full access to our information on which they have based all of their regulatory decisions.”

Earth Energy vice president Barclay Cuthbert earlier this month told The Salt Lake Tribune that, “We can extract bitumen in a far more responsible manner than has been done to date anywhere in the world.”

The project is the first attempt at tapping vast oil shale and tar sand deposits that development advocates hope will prove a lucrative industry for eastern Utah. But it follows on widely panned landscape alterations in Canada, where pits have displaced boreal forests.

“It’s a smaller scale at the moment,” Southern Utah Wilderness Alliance conservation director Steve Bloch said of the Utah mine, “but it’s the same sort of idea.”

Bloch said he worries that industrial development in a largely undeveloped area with few dirt roads would forever alter the Book Cliffs.

“It would be fragmenting what is now a largely intact primitive recreation area,” he said. The cliffs rising from the desert north of Interstate 70 and near the Colorado line offer great mule deer and elk habitat, along with a significant black bear population, he said.

Rob Dubuc, a Salt Lake City-based Western Resource Advocates attorney, said the state shouldn’t permit a mine at least until the Division of Water Quality thoroughly vets the project for effects to nearby springs and streams. In approving the mine permit, Baza noted the company’s assertion that runoff would unlikely reach Willow Creek, 25 miles away. Dubuc said that because the proposal includes no stormwater impoundments to trap water coming off of tailings with residual petroleum and chemicals, runoff pollution would be inevitable.

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