

# Deseret News

## Groups challenge Utah over mine expansion

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Published: Wednesday, Feb. 18 2015 5:15 p.m. MST



This 2011 photo shows a test pit and planned development area for U.S. Oil Sands about 85 miles from Vernal. Western Resource Advocates filed an administrative challenge of Utah's decision to let U.S. Oil Sands expand its oil sands mine in eastern Utah. (Tim Wall, U.S. Oil Sands)

SALT LAKE CITY — A planned expansion of the country's only commercial oil sands mine is once again under legal challenge by an environmental group because of feared impacts to water resources.

Living Rivers, through Western Resource Advocates, filed an administrative challenge Tuesday to the Utah Division of Water Quality's decision to allow the mine to expand beyond its initial demonstration phase.

"The state of Utah consistently seems to place development of these dirty fuels above protecting public health and the

environment," said attorney Rob Dubuc of Western Resource Advocates. "With clear evidence showing that the area of the mine is connected to area seeps and springs, there's simply no justification for DWQ to allow the mine to expand operations without appropriate oversight."

But the division concluded there is no risk from the PR Spring Mine to contaminate ground or surface water because of the lack of water resources in the area.

Dubuc countered that new studies show the area of the expanded mine is a recharge zone for perennial springs in Main Canyon, below the mine. He added that tests conducted by the company show that diesel range organic compounds in the mine tailings will be thousands of times greater than the maximum contaminant levels allowed in drinking water.

Donna Kemp Spangler, spokeswoman for the Utah Department of Environmental Quality, said regulators stand by their decision.

"Water Quality's decision to allow U.S. Oil Sands to proceed with its project is based on scientific facts that have repeatedly been upheld throughout the legal system, including the Utah Supreme Court," she said. "The Division of Water Quality did not take any further action, so we don't think this appeal has merit."

Last March, the Utah Supreme Court heard another challenge by Living Rivers over their belief that the state should have required a groundwater discharge permit for the mining operation. The case, justices ruled, was not brought in a timely manner.

In that hearing, the state argued hydrology tests in the area demonstrated a general lack of groundwater down to 2,000 feet below the surface, far below where U.S. Oil Sands would be mining.

Company officials believe that ultimately, 190 million barrels of oil can be successfully mined from the site, which occupies school trust lands property in eastern Utah.

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