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State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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March 19, 2001

David Miller, Resident Agent
Lodestar Energy, Inc.
HC 35 Box 370
Helper, Utah 84526

Re: Determination of Administrative Completeness for Change of Mining Method, Lodestar Energy Inc., White Oak Mine, C/007/001-SR01A, Outgoing File

Dear Mr. Miller:

The Division has completed a review of the information you submitted on February 2, 2001. With your commitment to supply additional soil and overburden information, your application is considered to be administratively complete. A copy of our review worksheet is enclosed for your information and records.

A technical review of your plan has been initiated. Technical deficiencies will be forwarded to you as reviews are completed. The Division will also coordinate with other agencies and incorporate their comments into our review process. Issues raised will need to be resolved prior to permit issuance.

At this time you should publish a Notice of Complete Application for a significant revision to the White Oak Mine as required by R645-300-121. A copy of the publication should be sent to the Division as soon as it is available. You should also insure that a copy of the application is on file at the appropriate County Courthouse. The Division will complete a technical analysis which must find that your application is technically complete. We anticipate that additional information may be necessary to make your application technically complete and look forward to working with you throughout the permitting process. Please call if you have any questions.

Thank you for your help in the permitting process.

Sincerely,

A handwritten signature in black ink that reads "Daron R. Haddock".

Daron R. Haddock
Permit Supervisor

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Enclosure:

cc: Price Field Office

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ADMINISTRATIVE COMPLETENESS REVIEW WORKSHEET
(R645-301-150)

DATE: March 16, 2001 REVIEWER(S): Gregg Galecki, Priscilla Burton, Paul Baker, Wayne Western

APPLICANT: Lodestar Energy Inc. MINE NAME: White Oak Mine FILE NO. C/007/001-SR01A

"Administratively Complete Application" means an application for permit approval or approval for coal exploration, where required, which the Division determines to contain information addressing each application requirement of the State Program and to contain all information necessary to initiate processing and public review.

Directions: The categories listed below correspond to the minimum requirements for information necessary to initiate processing and public review. If a category is checked the Applicant has met the Completeness requirement for that category. If a category is not checked, the Completeness requirements have not been met. The comments column will identify the deficiency and what is necessary to correct it.

Comments

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| 301-112 | Identification of Interests | <u> X </u> | |
| 100 | Applicant's Business Structure | <u> X </u> | |
| 210 | Applicant's Name/Address/Phone | <u> X </u> | |
| 220 | Resident Agent's Name/Address/Phone | <u> X </u> | |
| 230 | Name/Address/Phone of AML Fees Payer | <u> X </u> | |
| 300 | Corporate Structure & Ownership | <u> X </u> | |
| 400 | Identify Other Mining Operations in US | <u> X </u> | |

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| 500 | Surface & Mineral Ownership | <u> X </u> | |
| 600 | Ownership Contiguous to Permit | <u> X </u> | |
| 700 | MSHA Numbers | <u> X </u> | |
| 800 | Interest in Contiguous Lands | <u> X </u> | |

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| 301-113 | Violation Information | <u> X </u> | |
| 100 | Suspension or Revocation Information | <u> X </u> | |
| 300 | List of Violations - 3 Previous Years | <u> X </u> | |

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| 301-114 | Right of Entry | <u> X </u> | The current right of entry is for underground mining methods. Lodestar needs to ensure the existing agreements include the proposed mining operations and show in the plan how they do. |
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| 301-115 | Status of Unsuitability Claims | <u> X </u> | |
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| 301-116 | Permit Term | <u> X </u> | |
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| 301-117 | <p>....Insurance <u>X</u></p> <p>....Proof of Publication <u>X</u></p> <p>....Facilities and Structures Used in Common <u>X</u></p> | <p>Consider administratively complete, but Lodestar will need to submit the proof of <u>publication when it is available.</u></p> |
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| 301-118 | <p>Filing Fee <u>X</u></p> | <p>Not required except for a new operation.</p> |
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| 301-123 | <p>Notarized Signature of Responsible Official <u>X</u></p> | |
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| 301-130 | <p>Information Collection: Technical Data Accompanied by Names of Persons or Organizations that Collected and Analyzed the Data - Dates of Collections - and Analysis of the Data and Description of the Methodology Used to Collect and Analyze Data <u>X</u></p> | <p>Dan Larsen of EIS will conduct the soil survey of the 13.4 acres of new disturbance.</p> |
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| 301-200 | <p>Soils <u>X</u></p> | <p>13.1 acres previously disturbed <u>+13.4 acres new disturbance</u> 26.5 acres of surface mined land</p> |
| 211 | <p>Description of Premining Soil Resources <u>X</u></p> | <p>29.5 acres previous disturbed area <u>+13.4 acres increased disturbance</u> 42.9 acres of disturbance at 9,000' (Total disturbed area is 60.9 acres, page 1-10.) Description of undisturbed land forthcoming with Order I soil survey.</p> |

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| 221 | Prime Farmland Investigation | <u>X</u> | Short growing season, cryic and frigid temperature regimes. |
| 222 | Soil Survey | <u>X</u> | Order I survey of 13.4 undisturbed acres to be begin on March 14, 2001 with 5 test pits. Followed up with transects when the snow melts. |
| 224 | Substitute Topsoil Info (When Proposed) | <u>X</u> | This change of mining method presents a unique opportunity to pick and choose substitute topsoil from the site. A method of evaluating the overburden will be presented in conjunction with the Order I survey and the characterization of the rock strata. |
| 230 | Operation Plan: Topsoil Handling/Removal/Storage | <u>X</u> | Plan to remove A & B horizon or six inch depth or all unconsolidated material if less than 6 in. (Section 232) Plan may vary substantially after Order I survey information is incorporated. |
| 240 | Reclamation Plan: Soil Redistribution/Stabilization | <u>X</u> | This plan may vary substantially after the Order I survey is incorporated. |

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| 301-300 | Biology | <u>X</u> | See below. |
| 320 | Vegetation Information | <u>X</u> | The vegetation information for riparian areas includes only a species list for riparian areas within the permit area with nothing specific to Whiskey Creek. While this meets administrative completeness criteria, the Division needs a species list and some discussion of dominant species for the Whiskey Creek riparian area. |
| 322 | Fish and Wildlife Information | <u>X</u> | |
| 323 | Maps/Photos: Vegetation-Fish-Wildlife Areas | <u>X</u> | It appears there is a conflict between the text and Drawing R645-301-323.100. |

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| 330 | Operation Plan: Vegetation-Fish-Wildlife Protection <u> X </u> | The Division will need at least a reconnaissance survey to determine whether there are wetlands in the Whiskey Creek area. |
| 341 | Reclamation Plan for Revegetation <u> X </u> | The plan for revegetating the riparian area needs greater detail and needs to be coordinated with the channel restoration plan and the species list for the Whiskey Creek riparian area. |
| 342 | Fish & Wildlife Plan for Reclamation Phase <u> X </u> | |

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| 301-400 | Land Use and Air Quality <u> X </u> | |
| 411 | Pre-Mining Land Use Information (Includes Cultural Resources) <u> X </u> | |
| 412 | Post-Mining Land Use Information <u> X </u> | The applicant needs to include comments from the land owner about the postmining land use. |
| 420 | Air Quality <u> X </u> | The application needs to include a fugitive dust control plan for the surface mining operations. It should also contain an Air Quality Notice of Intent and, eventually, an Approval Order. |

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| 301-500 | Engineering <u> X </u> | |
| 510 and 520 | General Description of Operation Plan: (Maps, Locations, Cross-Sections, Narrative, Descriptions & Calculations) <u> X </u> | <p>The following items were noted in a meeting with Dave Miller: Map 231.100 referred to but not found, Map 232.100 was found, however. Figure 9-3 (Chap 9) has an incomplete legend.</p> <p>The permittee proposes a variance from AOC requirements but does not include the variance in the PAP.</p> |

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| 522 | Coal Recovery Description | <u> X </u> | The permittee did not address how they would maximize coal recovery for surface mined coal. |
| 523 | Mining Methods | <u> X </u> | |
| 524 | Blasting and Explosives Plan | <u> X </u> | The Division will require a detailed blasting plan. |
| 525 | Subsidence Control Plan | <u> X </u> | No new subsidence activities are scheduled. |
| 526 | Mine Facilities Description (Narrative, Plans, Maps) Including Existing Structures & Support Facilities | <u> X </u> | All existing structures are listed in MRP. No structures are scheduled for modification or reconstruction. No public roads within 100 feet. No new utility installation. New water facilities will be needed. The permittee is working with Air Quality for a new permit. |
| 527 | Transportation Facilities (Including Plans & Maps) | <u> X </u> | The permittee classified the pit roads as ancillary but must be classified as primary. The Division will determine if road is a road in the pit area. |
| 528 | Coal Mine Waste Plans (Description & Designs) | <u> X </u> | A more detailed plan is needed for overburden handling. |
| 529 | Management of Mine Openings (Design) | <u> X </u> | The Division will work with MSHA on developing a detailed plan for mining in and around underground workings. |
| 531 | General Plans for Structures | <u> X </u> | |
| 532 | Sediment Control | <u> x </u> | Sediment control structures will also be evaluated in the hydrology section. |
| 533 | Impoundments | <u> X </u> | Impoundments will also be evaluated in the hydrology section. |

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| 301-534 | Roads (Plans, Drawings, Designs, & Specifications) | <u> X </u> | The Division determine how hall roads will be evaluated later. |
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| 535 | Spoil | <u> X </u> | Acid/Toxic forming materials disposed according to the regulations (page 0-15 of 15) The permittee states that no excess spoil will be generated. |
| 536 | Coal Mine Waste | <u> X </u> | The permittee states that no coal mine waste will be generated. The Division will need additional proof. |
| 537 | Regraded Slopes | <u> X </u> | The permittee does not plan on leaving any regraded slopes. |
| 540 541-542 | Reclamation Narrative, Maps and Plans | <u> X </u> | |
| 551 | Casing and Sealing: Underground Openings | <u> X </u> | |
| 553 | Backfilling and Grading Description | <u> X </u> | |

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| 301-600 | Geology | <u> X </u> | |
| 621 | Description of Geology (Permit & Adjacent Area) | <u> X </u> | |
| 622 | Geologic Cross-Sections, Maps, and Plans | <u> X </u> | |
| 624 | Displaced strata analysis | <u> X </u> | Current comments need to be omitted and section needs to be adequately addressed. |
| 630 | Plans for Casing and Sealing Holes | <u> X </u> | |

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| 301-700 | Hydrology | <u> X </u> | |
| 721 | Description of Hydrologic Resources: (Permit and Adjacent Area) | <u> X </u> | |

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| 722 | Cross-Sections and Maps: Subsurface Water - Surface Water - Monitoring Stations - Wells <div style="text-align: right;"><u> X </u></div> | |
| 723 | Sampling and Analysis <div style="text-align: right;"><u> X </u></div> | |
| 724 | Baseline Information: Ground Water - Surface Water - Geology - Climatological & Supplemental; If Needed <div style="text-align: right;"><u> X </u></div> | |
| 728 | PHC Determination <div style="text-align: right;"><u> X </u></div> | |
| 730 | General Operation Plan: Minimize Disturbance to Hydrologic Balance & Compliance with Clean Water Act <div style="text-align: right;"><u> X </u></div> | |
| 731 | Ground and Surface Water Protection <div style="text-align: right;"><u> X </u></div> | |
| 732 | Ground and Surface Water Monitoring <div style="text-align: right;"><u> X </u></div> | |

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| 301-740 | Plans and Designs: Operation and Reclamation Plan Sediment Control Measures <u> X </u> Siltation Structures <u> X </u> Sediment Ponds <u> X </u> Other Treatment Facilities <u> X </u> Diversions <u> X </u> Road Drainage <u> X </u> Impoundments <u> X </u> Discharge Structures <u> X </u> Disposal of Excess Spoil <u> X </u> Coal Mine Waste <u> X </u> Disposal of Non-Coal Mine Waste <u> X </u> Casing and Sealing of Wells <u> X </u> | |
| 301-750 | PERFORMANCE STANDARDS <u> X </u> | |
| 301-760 | Reclamation <u> X </u> | Addressed in a separate section. |
| 301-800 | Bonding and Insurance <u> X </u> | NA for existing mine |
| 820 | Applicant: Have Adequate Bond at Permit Issuance <u> X </u> | NA for existing mine |

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| 830 | Bond Estimate and Calculations Provided | <u>X</u> | The present bond is for \$4,292,000 the permittee proposes to decrease the amount to \$2,939,966 but does not supply the supporting calculations as outline in the OSM handbook. Note: the Division relies upon the detailed bond costs to evaluate the backfilling and grading plan. |
| 890 | Certificate of Insurance Provided | <u>X</u> | NA for existing mine |

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| 302-200 | Special Categories of Mining | <u>NA</u> | The Permittee is not proposing the use of any special categories of mining. |
| 210 | Experimental Practices Mining | <u>NA</u> | |
| 220 | Mountaintop Removal Mining | <u>NA</u> | |
| 230 | Steep Slope Mining | <u>NA</u> | |
| 240 | Auger Mining | <u>NA</u> | |
| 250 | In Situ Processing Activities | <u>NA</u> | |

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| 302-260 | Coal Processing Plants (Not Located Within Permit Area of Mine) | <u>NA</u> | There are no changes proposed. |
| 270 | Variances From Approximate Original Contour Restoration Requirements | <u>NA</u> | No variance is being requested. |
| 280 | Variances for Delay in Contemporaneous Reclamation Requirement in Combined Surface and Underground Coal Mining Activities | <u>NA</u> | |

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| 290 | Small Operator Assistance Program (SOAP) | <u>NA</u> | |
| 302-300 | Special Areas of Mining | <u>NA</u> | |
| 301 | Prime Farmland | <u>X</u> | The surface disturbed area will not change with this revision. The original permit contained no prime farmland. |
| 302 | Alluvial Valley Floors | <u>X</u> | The surface disturbed area will not change with this revision. The original permit had no alluvial valley floors. |