

TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

November 13, 2003

TO: Internal File

FROM: Karl R. Houskeeper, Environmental Scientist III, Team Lead

RE: Midterm Permit Review, UtahAmerican Energy, Inc., Horse Canyon Mine, C/007/0013, Task ID #1750

SUMMARY:

Elements selected for review during the Midterm are outlined in the Division's letter to UtahAmerican Energy, Inc. dated October 16, 2003. Item #1 & #3 are discussed in this memo. An AVS check was conducted to ensure that the Ownership and Control information is current and correct. The violation and compliance information was checked to assure that the information is complete, updated, and correct.

Discussions with the operator and Division staff indicate that the operator has a pending application before the Division, Task ID #1756. Task ID # 1756 is a request for a Post Mining Land Use change.

A review of the AVS system for this Task ID #1750 was compared to the approved MRP. This review showed discrepancies. A separate review of the AVS system was done for Task ID #1756. Correct and current information to address Ownership and Control information and current violation history was requested in Task ID #1756. In short the discrepancies found in the midterm review for the officers and directors list will be addressed under a separate permitting action, Task ID #1756. This separate permitting action needs to include updated Ownership and Control information and an updated list of violations for the three (3) previous years.

TECHNICAL ANALYSIS:

GENERAL CONTENTS

TECHNICAL MEMO

IDENTIFICATION OF INTERESTS

Regulatory Reference: 30 CFR 773.22; 30 CFR 778.13; R645-301-112

Analysis:

The information contained in the currently approved MRP is outdated and has discrepancies when compared to the AVS system for the midterm review. The officers and directors list for the corporations associated with this permit has changed since this permit was re-issued.

Findings

The discrepancies found in the midterm review for the officers and directors list will be addressed under a separate permitting action, Task ID #1756 as indicated in the summary of this memo. Division supervision felt that this was the best way to address the deficiencies and not to run two permitting actions against each other.

VIOLATION INFORMATION

Regulatory Reference: 30 CFR 773.15(b); 30 CFR 773.23; 30 CFR 778.14; R645-300-132; R645-301-113

Analysis:

The list of violations for the three previous years in the approved MRP is outdated and needs to be updated.

Findings

The deficiencies found in the midterm review for three previous years of violation history will be addressed under a separate permitting action, Task ID #1756 as indicated in the summary of this memo. Division supervision felt that this was the best way to address the deficiencies and not to run two permitting actions against each other.

RECOMMENDATIONS:

Concerns regarding the legal and financial section of the UtahAmerican Energy, Inc. Mine permit C/015/018 for the Horse Canyon Mine are currently being addressed under a separate permitting action Task ID #1756.