



## State of Utah

### Department of Natural Resources

MICHAEL R. STYLER  
*Executive Director*

### Division of Oil, Gas & Mining

JOHN R. BAZA  
*Division Director*

JON M. HUNTSMAN, JR.  
*Governor*

GARY R. HERBERT  
*Lieutenant Governor*

December 19, 2005

Jay Marshall, Resident Agent  
Utah American Energy Inc.  
P.O. Box 986  
Price, Utah 84501

Subject: December 9, 2005 Response to Division's November 23, 2005 Request for Supplemental Information Needed for Lila Canyon Extension of the Horse Canyon Mine, UtahAmerican Energy, Inc. (UEI), Horse Canyon Mine, C/007/0013, Task ID #2304, Outgoing File

Dear Mr. Marshall:

The coal permitting team has commenced the review of your December 9, 2005 response to my November 23, 2005 letter and have found it difficult to identify what the responses from UEI were for each of the identified requests and where they are located (because there is no redline/strikeout). Pursuant to the Division "Submittals Format Guide" (that was sent to you in 2002 and 2004 - see attached), it is clear that redline/strikeout copies must be submitted.

In order for DOGM to easily identify the information you submitted, please note clearly in the cover letter 1) what the response is for each item and 2) where it is found in the submittal. Please submit five hard copies (with redline/strike) and a CD of the submittal. A CD of the entire MRP with the redline/strikeout would also be helpful.

As you know, it is the burden of the applicant to satisfy the criteria of the rules before the Division can issue a permit. If you have any questions, please feel free to call me at (801) 538-5268, Dana Dean at (801) 538-5320 or Wayne Western at (801) 538-5263.

Sincerely,

Pamela Grubaugh-Littig  
Permit Supervisor

Enclosure

cc: Gary Kofford, Emery County Commissioner  
O:\007013.HOR\FINAL\userfriendlyneededpglNOV23 reply to UEI.DOC

## Division's Process Guide - Utah Coal Regulatory Program

- An application is submitted to the Utah Coal Regulatory Program using a cover letter, C1 and C2 forms, accompanied by the correct number of copies as stated in the Submittals Format Guide or the General Guidelines for Electronic Permitting and Document Conversion.
- **The application will be immediately returned for no cover letter and/or C1 and C2 forms. If the application is deficient it may be denied with a letter identifying the deficiencies so you may correct the deficiencies and resubmit it.**
- **If the application is a significant revision or a new permit, a letter will be sent identifying the deficiencies and requesting additional information.**
- When the application is accepted it is scanned or copied to our Coal Program Permitting Database.
- The Division notifies OSM when an application is received. OSM notifies the Division within 30 days if the application is or is not considered a mining plan modification.
- The SLC Secretary assigns a Task ID number, creates a working file and forwards it to a permit supervisor.
- The permit supervisor then assigns a team lead and a task team for reviewing the application.
- One copy of the application is filed in our Public Information Center. The remaining copies are filed in the Coal Secretary's office along with the task-working file.
- The team lead will work together with the supervisor and technical staff on scheduling.
- **If a deficiency letter is sent it will include notification stating that the application will be denied if a response is not received within 90 days from the date of the deficiency letter or it may require a date prior to the 90 day date.**

**For subsequent responses the applicant will be responsible for updating the application packages maintained in the coal secretary office and Price Field Office, not the Public Information Center.**

**The team lead and the coal secretary are responsible for overseeing the updating of an application package.**

**The Division will notify the applicant when the application meets technical requirements; however the application will only be conditionally approved until clean copies (without redline/strikeout and paginated correctly) are received.**

Revised: June 22, 2005

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## Submittals Format Guide - Utah Coal Regulatory Program

**General Information** - The Division is requesting that all permit applications, changes, renewals, transfers or bond release applications follow the procedures and format requirements outlined in this document. The Division may return applications that do not meet format requirements according to the Utah Coal Mining Rules, (see R645-301-121.300). Each action must be submitted under a separate cover letter. It is recommended that permit changes be separated by each proposed action. If a company holds more than one permit, applications should be placed under separate cover letter by permit number and action for which you are applying.

**Cover Letter** - Submit a cover letter for each application with notarized C1 and C2 forms. In the regarding line briefly describe the submittal content including the mine name, permit number and task ID # if assigned. Some examples are shown below.

- Application to Change the Existing Mining and Reclamation Plan, Addition of a Fourth Portal to the Blind Canyon Seam Portal Pad, Bear Canyon Mine, C/015/0025
- Notice of Intent to Conduct Minor Coal Exploration, Helicopter Assisted Drilling in Mill Fork Canyon, Deer Creek Mine, C/015/0018
- Response to Deficiencies in Removal of Rock Gabions, Gordon Creek 2,7, & 8 Mines, C/007/0016, Task ID # 1665
- Application for Permit Renewal, Skyline Mine, C/007/0006
- Response to Midterm Review, West Ridge Mine, C/007/0041, Task ID # 1245

Note: Task ID numbers will change during an amendment review if there are deficiencies. When submitting a response, please refer to the task ID number in the regarding line of the latest correspondence mailed to you regarding that amendment.

**Contents** - The application should be complete and not rely on additional materials to be submitted at a later date. Assemble each copy as a complete unit including all maps and text. It is recommended that permit changes of 50 pages or more be submitted in binders. These binders will allow the retention of a complete application and will be returned after the permitting action is completed.

**Confidential Contents** - Any material considered to be confidential must be clearly marked as such and separated from other material submitted. A reference page can be used in the MRP in place of the material. This includes archeological information. See attached Guidelines for Submitting Applications with Private/Protected/Confidential Information.

**Change Forms** - A C1 and C2 form must be included with every submittal, which includes a notarized signature of the responsible official of the applicant. This responsible official attests that the submittal is true and correct to the best of their knowledge and complete in all respects with the laws of Utah in reference to commitments, undertakings, and obligations. These forms indicate change to the Mining and Reclamation Plan, not changes to a previous application. Please send an accurate form with each submittal, if the application needs to be updated with pages or maps from a previous submittal, please indicate this in your cover letter, let the team lead know so he/she can update it when it arrives, or come in and update it. Please use the current C1 and C2 form that can be found on our web site at [http://ogm.utah.gov/coal/coal\\_forms.htm](http://ogm.utah.gov/coal/coal_forms.htm)

**Number of Copies/Pagination** - Submit three redline/ strikeout copies (four if on or adjacent to Forest Service land). The redline/ strikeout will guide the staff in understanding what changes are being proposed. Final copies without redline strikeout and **paginated correctly for insertion into the plan**, must be submitted PRIOR to the permit change receiving final approval. If you have chosen to submit you application electronically submit one hard copy (redline/ strikeout) and three electronic copies (CD, Diskette, etc.).

**Electronic Permitting**. All forms and guidelines are available on the Division website at [http://ogm.utah.gov/coal/coal\\_forms.htm](http://ogm.utah.gov/coal/coal_forms.htm). See attached General Guidelines for Electronic Permitting and Document Conversion.

**Addressing** - Address ALL correspondence to:

Utah Division of Oil, Gas & Mining  
Coal Program  
1594 West North Temple, Suite 1210  
P.O. Box 145801  
Salt Lake City, Utah 84114-5801

A courtesy copy may be sent to the Price Field Office (PFO) at:

Utah Division of Oil, Gas & Mining  
Coal Program/ Price Field Office  
455 West Railroad Avenue  
Price, Utah 84501

**Contacts:** Pamela Grubaugh-Littig, (801) 538-5268  
Wayne Hedberg, (801) 538-5286

Angela Nance, (801) 538-5264  
Sheila Morrison, (801) 538-5289  
Stephanie Dunlap, (435) 613-1146

SLC Fax, (801) 359-3940  
PFO Fax, (435) 613-1152

## Guidelines for Submitting Applications with Private/Protected/Confidential Information

There are three types of information that are controlled and not readily available to the public: Private, Protected and Confidential.

**Private information** (according to the Government Records Access Management Act [GRAMA] refers to personal information such as a social security number or tax identification number needed for the ownership and control information required.

**Protected information** under GRAMA refers to the location of historic, cultural or biological resources (i.e. raptor locations).

**Confidential information** in the Utah Coal Regulatory Program refers to the analysis of the physical and chemical properties of the coal to be mined, except information on components of such coal which are potentially toxic to the environment, and information on the nature and location of archeological resources on public land and Indian lands as required under the Archeological Resources Protection Act of 1979 (cultural and historic information).

For the purposes of separating this information into a controlled area in the Public Information Center, please mark everything - **Confidential**. It will be understood that the confidential information falls into one of these categories.

### Amendments

- Submit the required number of copies as required for reviewing without the Confidential Information and supply a reference page in its place.
- The reference page should include document information and current location.
- Submit one copy of the Confidential Information to be placed behind the appropriate chapter tab in the Confidential MRP Binder.

### Exploration - Annual Reports

- Submit two copies without Confidential Information and supply a reference page in its place.
- The reference page should include document information and current location.
- Submit one copy of the Confidential Information to be placed in the Division's Confidential File.

### Legal/ Financial - Bond - Insurance

- Submit the required number of copies as required for reviewing with the Confidential Information excluded, such as social security number or Tax ID #.
- Submit one copy of the Confidential Information.
- A reference page is not necessary for this type of amendment. The pages with the Confidential Information will be placed behind the appropriate chapter tab in the Confidential MRP Binder.

Updated June 22, 2005

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