

TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

July 26, 2004

OK

TO: Internal File

THRU: Gregg Galecki, Lead, Environmental Scientist III, Hydrology/Geology, *Lead, AAA*

FROM: Karl R. Houskeeper, Environmental Scientist III *KRH bjan*

RE: Mathis/Summit Creek Incidental Boundary Change, Andalex Resources, Inc., Centennial Mine, C/007/0019, Task ID # 1979, Outgoing File

SUMMARY:

The Division received an application for an Incidental Boundary Change on May 7, 2004. The Incidental boundary Change is in the Mathis Tract (20 acres) and in the Federal Summit Creek Lease Area (72.32 acres). The additional 92.32 acres constitutes a 1.705% increase of the Centennial Permit Area. The additional acreage is for underground mining only and does not affect the disturbed area acreage. The application was assigned Task ID #1919. The Division sent the application out deficient on June 18, 2004. The operator responded to the deficiencies on July 2, 2004. The response to Task ID #1919 deficiencies was assigned Task ID #1979.

This memo addresses the administrative information submitted as part of the permit amendment application response Task ID #1979.

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TECHNICAL ANALYSIS:

GENERAL CONTENTS

VIOLATION INFORMATION

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

Analysis:

Information for the last three years of violation history was submitted for the applicant and all coal mining reclamation operations owned or controlled by the applicant or by any person who owns or controls the applicant.

Findings:

The information submitted meets the minimum requirements of this section.

RIGHT OF ENTRY

Regulatory Reference: 30 CFR 778.15; R645-301-114

Analysis:

Appendix J of the MRP contains approvals of lease agreements and other approved activities. Documentation showing approval to enter the Mathis Tract Fee Lease was provided for inclusion into Appendix J. Documentation showing the right of entry for UTU-79975 Federal Lease will be provided to the Division for inclusion in Appendix J upon receipt.

Findings:

Information showing the right of entry into Federal Lease UTU-79975 still needs to be provided to the Division. The applicant has committed to provide the information for inclusion into Appendix J upon receipt. The application can be conditionally approved upon receipt of the right of entry information into Appendix J.

LEGAL DESCRIPTION AND STATUS OF UNSUITABILITY CLAIMS

Regulatory Reference: 30 CFR 778.16; 30 CFR 779.12(a); 30 CFR 779.24(a)(b)(c); R645-300-121.120; R645-301-112.800; R645-300-141; R645-301-115.

Analysis:

The applicant submitted the legal descriptions of the lease areas that are to be included into the permit area. It should be clarified that these descriptions are not necessarily the entire lease areas, but only the portions that are within the permit area. Descriptions found on page 1-21 of the submittal for federal lease UTU-79975 and the additions to the Mathis Tract Fee lease were checked and found to be accurate with the submitted maps.

Findings:

The information submitted meets the minimum requirements of this section.

RECOMMENDATIONS:

The application should be conditionally approved pending the submission of the right of entry information for Federal Lease UTU-79975 for inclusion into Appendix J.