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State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

March 26, 2014

Jay Marshall, Resident Agent
Andalex Resources, Inc.
P.O. Box 910
East Carbon, Utah 84520-0910

Subject: Incomplete Permit Revision to add Kenilworth Lease, Andalex Resources, Inc., Centennial Mine, C/007/0019, Task ID #4552

Dear Mr. Marshall:

The Division has reviewed your application for permit revision to add the Kenilworth lease to the Centennial Mine. We have identified administrative problems with the application and it cannot be considered administratively complete at this time. We are therefore returning the application for your further attention.

A significant revision of this nature cannot be submitted as an appendix to the Mining and Reclamation Plan. A "revision" contemplates the MRP being revised to reflect the changes proposed. The description of the change in leases and permit area must be located in the main body of the MRP so that there is no question as to the area that is to be mined. This type of change must be done in a redline/strikeout format so the changes can be readily identified. (Please refer to the attached Submittal and Format Guide). Further, a mine plan must stand on its own. References to required maps found in other mine plans are unacceptable.

The application seems to be missing much of the required Environmental Resource Information. Baseline data must be submitted regardless of the depth of cover or the plans for surface disturbance. Such information as Hydrology data, Water rights, Archeological surveys, Wildlife surveys, Raptor surveys, etc. must be included. The plans as submitted are denied. Please resubmit the entire application.

If you have any questions, please call me at (801) 538-5325 or Pete Hess at (435) 613-3731.

Sincerely,

Daron R. Haddock
Coal Program Manager

DRH/sqs
Attachment
Enclosure
cc: Price Field Office

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1594 West North Temple, Suite 1210, PO Box 145801, Salt Lake City, UT 84114-5801
telephone (801) 538-5340 • facsimile (801) 359-3940 • TTY (801) 538-7458 • www.ogm.utah.gov



Submittals Format Guide - Utah Coal Regulatory Program

General Information - The Division requests 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 form. 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.

- Addition of a Fourth Portal to the Blind Canyon Seam Portal Pad, Bear Canyon Mine, C/015/0025
- New Permit Application, Star Point Refuse Mine
- Application for Permit Renewal, Skyline Mine, C/007/0005

Contents - The application must be complete and not rely on additional materials to be submitted at a later date. Assemble each submission as a complete package including all maps and text.

Confidential Contents – Any confidential material must be clearly marked and separated from other submitted material. A reference page must be included in the MRP in place of the confidential material. Examples of confidential information include archeological information, site-specific coal information, raptor nest locations and social security numbers. Confidential information must be separated in electronic format as well.

Change Forms (C1 and C2) – By rule (R645-301-123), submitted changes to an approved mining and reclamation plan (MRP) must contain the notarized signature of a responsible official of the applicant. The C1 and C2 forms provided by the Division of Oil, Gas and Mining facilitate compliance with this rule in addition to clearly identifying proposed changes to the MRP. The 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. The forms identify changes to the MRP, not changes to a previous application. A C1 and C2 form must be included with every submittal. An application will be returned if an accurate C1 and C2 form is not included with each submittal. All forms and guidelines are available on the Division website at <http://linux1.ogm.utah.gov/WebStuff/wwwroot/coal/default.html>.

Number of Copies

REVIEW COPIES: Submit one redline/strikeout* copy for review. The review copy may be submitted by email, the Division electronic permitting site, or paper copy. The redline/strikeout will guide the staff in understanding what changes are being proposed. This includes Confidential Information clearly marked and separated. An application submitted without redline strikeout will be returned.

FINAL COPIES: Submit two clean paper copies (without redline/strikeout and correctly paginated for insertion into the plan) for final approval. This includes Confidential Information clearly marked and separated. The two final paper copies are for the Division Salt Lake Office and the Operator. An electronic MRP is maintained on the Division website for public and agency viewing.

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

SLC Office (801) 538-5265
Price Field Office (435)613-3737

Email address: suzannesteab@utah.gov

Contacts: Daron Haddock, Coal Program Manager (801) 538-5325
Steve Christensen, Permit Supervisor (801) 538-5350
Suzanne Steab, Eng. Tech (801) 538-5265

Divisions Process Guide - Utah Coal Regulatory Program

- **The application will be immediately returned upon the following conditions:**
 - **No C1 and C2 form**
 - **No cover letter**
 - **Confidential is not separated and properly marked**
 - **No redline/strikeout***
- An application is submitted by way of hard copy or electronic submission to the Utah Coal Regulatory Program. An application must be submitted with a cover letter, C1 and C2 form and accompanied by the correct number of copies as stated in the Submittals Format Guide under Number of Copies.
- When the application is received, it is added to the Coal Program Database. The Coal Secretary assigns the application a Task ID number, creates a working file and then notifies the Mine Lead of the task and timing.
- The Division will conduct an Initial Review (IR) of the application (within 15 days) to determine if it is sufficient for technical review.
- If the Initial Review indicates that the application is **not** sufficient for technical review, it will be denied and returned with a letter.
- If the Division determines during the Initial Review that the application is acceptable to commence the technical review, an email will be sent to the operator. The technical review will be completed by the mine leads, supervisor and technical review team. During the technical review, the Division emails the remote access location of the application to those agencies that need to review the application.
- If the application is technically deficient, a deficiency letter will be sent indicating that the application is denied. If the Operator chooses to re-submit the application, an entirely new application must be filed including complete C1 and C2 forms. With each review iteration, please submit a complete application (i.e. all revised maps and text pages regardless of whether they are no longer deficient).
- The Division will notify the applicant when the application meets technical requirements; however, the application will only be conditionally approved until all conditions have been met. Final Approval will then be issued.

***Redline/Strikeout:**

Highlights additions to text and strikes thru deletions of text.

See example:

| The redline/strikeout displays additions ~~or deletions~~ in text.