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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

August 23, 2007

Mr. Dave Shaver, Manager  
Andalex Resources, Inc  
P.O. Box 1077  
Price, Utah 84501

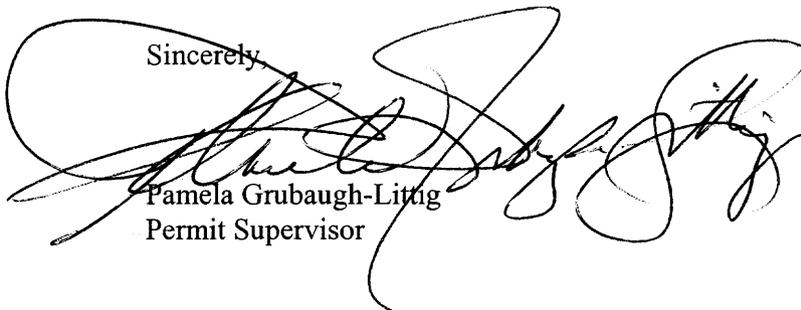
Re: Wildcat Expansion of 170 Acres, Andalex Resources Inc, Wild Cat Loadout, C/0070033, Task ID #2822. Outgoing File

Dear Mr. Shaver:

We have reviewed your June 15, 2007 application for an expanded coal loading operation at Wildcat. The application has been determined to be incomplete, based upon vegetation and wildlife information requirements. In addition, please provide a draft of the proposed public notice with your next application. A copy of the Administrative Completeness Review (ACR) is enclosed.

Priscilla Burton at the Price Field Office was the review team lead. Please contact Ms. Burton at (435) 613-1146, Ext. 207 or myself at (801) 538-5268 with your questions.

Sincerely,



Pamela Grubaugh-Littig  
Permit Supervisor

Pwb:sb  
Enclosure  
cc: Price Field Office  
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**ADMINISTRATIVE COMPLETENESS REVIEW WORKSHEET  
(R645-100)**

**DATE:** August 17, 2007

**REVIEWER(S):** Wayne Western, Jerriann Ernstsens, Jim Smith, Priscilla Burton

**APPLICANT:** Andalex Resources Inc.

**MINE NAME:** C007/0033 **FILE NO.:** 2822

**"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.

		<b>Comments</b>
301-112	Identification of Interests <span style="float: right;"><u>X</u></span>	no change to existing MRP
100	Applicant's Business Structure <span style="float: right;"><u>X</u></span>	no change to existing MRP
210	Applicant's Name/Address/Phone <span style="float: right;"><u>X</u></span>	no change to existing MRP
220	Resident Agent's Name/Address/Phone <span style="float: right;"><u>X</u></span>	Dave Shaver
230	Name/Address/Phone of AML Fees Payer <span style="float: right;"><u>X</u></span>	no change to existing MRP
300	Corporate Structure & Ownership <span style="float: right;"><u>X</u></span>	App. A - Part 1
400	Identify Other Mining Operations in US <span style="float: right;"><u>X</u></span>	App. A - Part 2
500	Surface & Mineral Ownership <span style="float: right;"><u>X</u></span>	BLM surface
600	Ownership Contiguous to Permit <span style="float: right;"><u>X</u></span>	Plate 16
700	MSHA Numbers <span style="float: right;"><u>X</u></span>	no change to existing MRP
800	Interest in Contiguous Lands <span style="float: right;"><u>X</u></span>	none

301-113	Violation Information	<u>X</u>	no change to listings in App. B
100	Suspension or Revocation Information	<u>X</u>	no change to existing permit
300	List of Violations - 3 Previous Years	<u>X</u>	App B-Part B-33 updated to April 2007
301-114	Right of Entry	<u>X</u>	BLM lease amended Feb 5, 2007 (App B-Part A-12) includes 270 acres
301-115	Status of Unsuitability Claims	<u>X</u>	no change to existing MRP, BLM Environmental Analysis in App. T
301-116	Permit Term	<u>X</u>	Permit last issued May 5, 2004 for 5 year term, see App B-Part A-1.
301-117	Insurance	<u>X</u>	App B - Parc C -34
	Proof of Publication	—	R645-300-121.100 requires that a copy of the public notice as it will appear in the newspaper be provided with the application. Proof of the publication must be filed with the application within four weeks of date of first publication.
	Facilities and Structures Used in Common	<u>X</u>	
			n/a
301-118	Filing Fee	<u>X</u>	n/a
301-123	Notarized Signature of Responsible Official	<u>X</u>	C1 form
301-130	Information Collection: <b>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</b>	<u>X</u>	included with each report.

301-200	Soils	<u>X</u>	Appendix S describes the proposed expansion and construction to the existing site.
211	Description of Pre-mining Soil Resources	<u>X</u>	Appendix D and supplement
221	Prime Farmland Investigation	<u>X</u>	Appendix D, SCS 1988 determination still valid, no prime farmland.
222	Soil Survey	<u>X</u>	Appendix D supplement.
224	Substitute Topsoil Info (When Proposed)	<u>X</u>	App. S
230	Operation Plan <b>Topsoil Handling/Removal/Storage</b>	<u>X</u>	App S.
240	Reclamation Plan <b>Soil Redistribution/Stabilization</b>	<u>X</u>	App. S

301-300	Biology	—	<p>As written, it is difficult for the Division to determine if the information is present and adequate to review for technical adequacy for this proposed action.</p> <p>If there are not significant changes to include current and applicable supporting evidence to the MRP NARRATIVE, it will make the technical review process convoluted and difficult to make a finding</p>
320	Vegetation Information	—	<p>Provide vegetation information for the proposed expansion and reference areas adequate to predict/determine reclamation success. Referring the reader to appendices is not adequate, especially when it is not submitted!</p> <p>The survey must include raw data sheets and statistical analysis of vegetation types or species composition, shrub density, and other important success value-parameters such as diversity if applicable. Must also include, measures of cover from rock, litter, and biologic soil crusts.</p> <p>Provide productivity yield values or estimates for the different community types for the proposed disturbance and reference areas. (NRCS must conduct the estimates.)</p>

322	Fish and Wildlife Information	—	<p>Provide current fish and wildlife information for the proposed expansion, adjacent and reference areas, and areas affected by operations adequate to design current protection and enhancement plans. Referring the reader to outdated appendices is not adequate.</p> <p>Include a current TE list, which can be downloaded from the USFWS website.</p> <p>Provide current and applicable enhancement and protection plan for vegetation and wildlife. This action must be in coordination with DOGM (lead agency), DWR, USFWS, and BLM. Previous mitigation efforts did not include this expansion.</p>
323	Maps/Photos <b>Vegetation-Fish-Wildlife Areas</b>	—	<p>Provide a current vegetation map showing the reference area adequate for determining success as well as community types of permit and adjacent areas adequate to assess for important habitats</p>
330	Operation Plan <b>Vegetation-Fish-Wildlife Protection</b>	—	<p>Include operation and reclamation revegetation procedures/designs that will minimize impacts, plans that will minimize impacts to fish, wildlife, and critical and high value habitat; include wildlife exclusionary periods. Describe in more detail the need for the total acreage in relation to the disturbance acreage. Describe how directly disturbing more surface area to divert wind-blown coal fines will minimize impacts.</p> <p>There is no description or “complete” reference of how the Permittee will prevent wind-blown coal fines from leaving the permit or disturbed areas.</p> <p>Provide adequate proof of the water consumption estimates.</p>
341	Reclamation Plan for Revegetation	—	<p>Provide contemporaneous and final reclamation plans, for the permit area including the proposed expansion, that are updated to reflect currently approved Division methods.</p>
342	Fish & Wildlife Plan for Reclamation Phase	—	<p>Provide fish and wildlife plan for post-operation phases (reclamation, liability). This may include phases of a possible mitigation plan.</p> <p>Must include either enhancement measures or explanations why not applicable.</p>

301-400	Land Use and Air Quality	<u>X</u>	Air Quality Order DAQE-005-00 in App B-Part A-13; Coal fines accumulation map App. U
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411	Pre-Mining Land Use Information (Includes Cultural Resources)	<u>X</u>	
412	Post-Mining Land Use Information	<u>X</u>	

301-500	Engineering	<u>X</u>	
510 520	General Description of Operation Plan (Maps, Locations, Cross-Sections, Narrative, Descriptions & Calculations)	<u>X</u>	
522	Coal Recovery Description	<u>X</u>	No coal mining will take place, just coal preparation.
523	Mining Methods	<u>X</u>	No coal mining only coal processing
524	Blasting and Explosives Plan	<u>X</u>	No blasting scheduled.
525	Subsidence Control Plan	<u>X</u>	No underground mining
526	Mine Facilities Description (Narrative, Plans, Maps) Including Existing Structures & Support Facilities	<u>X</u>	
527	Transportation Facilities (Including Plans & Maps)	<u>X</u>	More information is needed for roads to some ponds and topsoil stockpiles.
528	Coal Mine Waste Plans (Description & Designs)	—	
529	Management of Mine Openings (Design)	<u>X</u>	No underground openings
531	General Plans for Structures	<u>X</u>	
532	Sediment Control	<u>X</u>	
533	Impoundments	<u>X</u>	

301-534	Roads (Plans, Drawings, Designs, & Specifications)	<u>X</u>	
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535	Spoil	<u>X</u>	
536	Coal Mine Waste	<u>X</u>	
537	Regraded Slopes	<u>X</u>	
540 541-542	Reclamation Narrative, Maps and Plans	<u>X</u>	
551	Casing and Sealing <b>Underground Openings</b>	X	
553	Backfilling and Grading Description	<u>X</u>	

301-600	Geology	<u>X</u>	
621	Description of Geology <b>(Permit &amp; Adjacent Area)</b>	<u>X</u>	No changes have been made to the text of Chapter 6, Geology.
622	Geologic Cross-Sections, Maps, and Plans	<u>X</u>	The Geologic Map, Plate 12, has been revised. Surface geology is from a USGS geologic map.
630	Plans for Casing and Sealing Holes	<u>X</u>	NA - there are no boreholes or wells.

301-700	Hydrology	<u>X</u>	Appendix R, which contains the Sedimentation and Drainage Control Plan - including design details, has been added.
721	Description of Hydrologic Resources <b>(Permit and Adjacent Area)</b>	<u>X</u>	No change from the currently approved MRP.
722	Cross-Sections and Maps <b>Subsurface Water - Surface Water - Monitoring Stations - Wells</b>	<u>X</u>	The updated Drainage Map (Plate 2) shows the monitoring points and surface hydrology. Plates 4, 5, 6, and 7 - pond as-built drawings - have been removed and replaced with Plates 3B - F, which show the proposed modifications of ponds E and F and designs for new ponds G, H, and I. Plate 3A shows the as-built design for pond C, which apparently will remain as is. Plate 3G, the as-built drawing of the Permanent Impoundment, replaces Plate 18, and Plate 3H shows the Loadout Depression Area, which is not depicted in the current MRP. Reclamation Hydrology has been consolidated onto one drawing, Plate 8. The profile and cross-section of ditch UD-1, Plates 19 and 20, have been removed.

723	Sampling and Analysis	<u>X</u>	No change from the currently approved MRP except three UPDES monitoring points will be relocated.
724	Baseline Information <b>Ground Water - Surface Water - Geology - Climatological &amp; Supplemental; If Needed</b>	<u>X</u>	No additional baseline data have been submitted.
728	PHC Determination	<u>X</u>	No change in the PHC, which is Appendix J in the currently approved MRP.
730	General Operation Plan <b>Minimize Disturbance to Hydrologic Balance &amp; Compliance with Clean Water Act</b>	<u>X</u>	The disturbed area will be larger. Two sedimentation ponds will be enlarged and three ponds will be replaced with new ponds. Overall, there is little change in the General Operation Plan.
731	Ground and Surface Water Protection	<u>X</u>	Three sedimentation ponds are to be replaced with larger ponds.
732	Ground and Surface Water Monitoring	<u>X</u>	Surface -water monitoring is described in Section 723. There is no ground-water monitoring at this site. Appendix M, titled Water Monitoring Data but which contained little data, has been removed.

301-740	Plans and Designs <b>Operation and Reclamation Plan Sediment Control Measures</b>	<u>X</u>	Plans and designs are mainly in Appendix R
	Siltation Structures	<u>X</u>	
	Sediment Ponds	<u>X</u>	Sedimentation Ponds A, B, and D will be eliminated, and ponds G, H, and I added. Ponds C, E, and F will remain, but E and F will be enlarged.
	Other Treatment Facilities	<u>X</u>	There are no Other Treatment Facilities
	Diversions	<u>X</u>	Diversion design information is in Appendix R
	Road Drainage	<u>X</u>	Road Drainage is not treated seperately and is included in the Sedimentation and Drainage Control Plan in Appendix R.
	Impoundments	<u>X</u>	The Permanent Impoundment and Loadout Depression remain in the plan: these are not sedimentation ponds.
	Discharge Structures	<u>X</u>	Information on Discharge Structures is in Appendices L and R
	Disposal of Excess Spoil	<u>X</u>	NA - there is no spoil at this loadout operation
	Coal Mine Waste	<u>X</u>	Coal mine waste is covered in Section 512.230.
	Disposal of Non-Coal Mine Waste	<u>X</u>	Disposal of non-coal mine waste is discussed in Section 512.230.
Casing and Sealing of Wells	<u>X</u>	NA - there are no boreholes or wells.	

301-800	Bonding and Insurance	<u>X</u>	
820	Applicant <b>Have Adequate Bond at Permit Issuance</b>	<u>X</u>	
830	Bond Estimate and Calculations Provided	<u>X</u>	The Permittee will supply additional informaiton once the general reclamation plan has been agreed upon.
890	Certificate of Insurance Provided	<u>X</u>	

302-200	Special Categories of Mining	<u>X</u>	coal processing plant
210	Experimental Practices Mining	—	n/a

220	Mountaintop Removal Mining	—	n/a
230	Steep Slope Mining	—	n/a
240	Auger Mining	—	n/a
250	In Situ Processing Activities	—	n/a

302-260	Coal Processing Plants (Not Located Within Permit Area of Mine)	<u>X</u>	crushing/sorting/loading by truck and rail
270	Variances From Approximate Original Contour Restoration Requirements	—	n/a
280	Variances for Delay in Contemporaneous Reclamation Requirement in Combined Surface and Underground Coal Mining Activities	—	n/a
290	Small Operator Assistance Program (SOAP)	—	n/a

302-300	Special Areas of Mining	—	n/a
301	Prime Farmland	—	n/a
302	Alluvial Valley Floors	—	n/a

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