

OGMCOAL - Final Approval Wildcat Response to DO-04A

From: Kevin Lundmark
To: Dave Shaver
Date: 10/19/2010 11:09 AM
Subject: Final Approval Wildcat Response to DO-04A
CC: OGMCOAL
Attachments: 10182010.pdf

Dave,

I have attached a scanned copy of the final approval letter which went out today for the response to DO-04A at Wildcat Loadout. As mentioned in the letter, there were still some minor errors in the Ownership and Control information included in Appendix A and Appendix B Part B; however, correcting these errors is not necessary as part of this permitting action.

I am aware that you and Denise Dragoo have been working with Angela Nance to get the AVS information cleaned up - thank you for doing that.

The outstanding errors for the Violation History information in Part B of Appendix B are identified below. These all relate to Horse Canyon Mine - Lila Extension C0070013. Please note that these errors may be relevant during future UEI permitting actions where Ownership and Control information is reviewed.

Horse Canyon Mine (Permit C0070013)

10036 Status is incorrect (should be "Vacated", not "Pending")

10045 Date Issued is incorrect (should be 9/23/2009), Status should be "Terminated", Abatement Action should be "Corrected", and Appeal Y/N should be "Y"

10058 Missing NOV 10058, issued 6/30/2010 by DOGM to UEI for "Failure to maintain diversion", Status = terminated, Abatement Action = Corrected, Appeal Y/N = Y

Please don't hesitate to call with any questions. Thank you for your efforts to get this Division Order resolved.

Regards,
Kevin

Kevin Lundmark
Environmental Scientist II
Division of Oil, Gas & Mining
kevinlundmark@utah.gov
(801)538-5352



JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
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State of Utah
DEPARTMENT OF NATURAL RESOURCES
Division of Oil, Gas & Mining

MICHAEL R. STYLER
Executive Director

JOHN R. BAZA
Division Director

Outgoing
C0070033
#3618
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October 18, 2010

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

Subject: Approval of Response to Division Order DO-04A, Task ID# 3618, Andalex Resources, Inc., Wildcat Loadout, C0070033

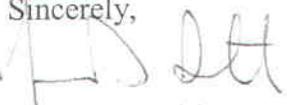
Dear Mr. Shaver:

The above-referenced amendment is approved effective October 18, 2010. A stamped incorporated copy is enclosed for your copy of the Mining and Reclamation Plan.

This modification does not necessitate an update to the Technical Analysis. The approval of this amendment satisfies the requirements of Division Order DO-04A for information on controls to minimize coal fine accumulations from wind blown sources.

The Division has identified that some errors remain in the Ownership and Control information included in Appendix A and Appendix B Part B of the amendment. These errors are in no way related to the response to DO-04A and therefore should not further delay fulfillment of the requirements prescribed by the Order. The Division encourages Andalex to correct the outstanding errors as they may affect future permitting actions at Wildcat Loadout or at other mines controlled by Andalex or UtahAmerican Energy, Inc.

If you have any questions, please feel free to call me at (801) 538-5262 or Kevin Lundmark at (801) 538-5352.

Sincerely,

James D. Smith
Permit Supervisor

JDS/KL/sqs
Enclosure

cc: Richard Holbrook, OSM
Jeff McKenzie, BLM
Larry Crist, USFWS w/o
Marc Stilson, Water Rights w/o
Dave Ariotti, DEQ w/o
Chris Wood, DWR w/o
Price Field Office

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