

TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

OK

January 29, 2007

TO: Internal File

THRU: Pamela Grubaugh-Littig, Permit Supervisor
Steve Fluke, Lead *A super who replaced Steve Fluke*

FROM: Joe Helfrich, Biology *[Signature]*

RE: Midterm Permit Review, Westridge Resources Inc., West Ridge Mine, C/007/0041, Task ID #2692

SUMMARY:

On November 9, 2006 the Division notified West Ridge Resources Inc. that a Midterm Review for the West Ridge mine was being initiated. Pertinent elements selected for review included the following;

1. An AVS check to insure that Ownership and Control information is current and correct.
2. A review to ensure that the mine plan has been updated to reflect changes in the Utah Coal Regulatory Program, which have occurred subsequent to permit approval (One area of emphasis is to ensure compliance with the U.S. Fish and Wildlife Department Colorado River Endangered Fish Recovery Program).
3. A review of the mine plan to ensure that the requirements of all permit conditions, division orders, notice of violation abatement plans, and permittee initiated plan changes are appropriately incorporated into the mine plan document.
4. A review of the applicable portions of the permit to ensure that the mine plan contains commitments for application of the best technology currently available (BTCA) to prevent additional contributions of suspended solids to stream flows outside of the permit area.
5. A review of the bond to ensure that it is in order and that the cost estimate is accurate and is escalated to the appropriate year dollars.

TECHNICAL MEMO

6. A review of the mining and reclamation plan commitments for the subsidence control/monitoring plans and reporting requirements.
7. The Division may conduct a technical site visit in conjunction with the assigned compliance inspector to document the status and effectiveness of operational, reclamation, and contemporaneous reclamation practices.

This memo will include a review of item # 2.

TECHNICAL ANALYSIS:

OPERATION PLAN

FISH AND WILDLIFE INFORMATION

Regulatory Reference: 30 CFR Sec. 784.21, 817.97; R645-301-322, -301-333, -301-342, -301-358.

Analysis:

Endangered and Threatened Species

Potential water depletions from mining operations may have an affect on endangered fish species identified in pertinent fish recovery programs. Volumes of water consumed in mining processes in excess of 100acre feet/year may require mitigation with the U. S. Fish and Wildlife Service. Calculations of current water depletions from mining activities are provided for in Appendix 7-7 of the approved MRP. It is estimated the mine would use 21,804,600 gallons or about 67 acre-feet per year. This includes evaporation from ventilation, washdown, culinary uses, the longwall, continuous miner, and roof bolter. Above one hundred-acre feet per year, the Fish and Wildlife Service would require a mitigation fee.

Findings:

The information reviewed is adequate to meet the requirements of this section of the regulations.

RECOMMENDATIONS:

This portion of the midterm review is recommended for approval.