



GARY R. HERBERT  
Governor

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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

December 12, 2018

Larry Johnson, Resident Agent  
Coal Energy Group 3, LLC  
2850 Crimson Ridge Drive  
St. George, Utah 84790

Subject: Determination of Administrative Completeness, Kinney #2 Mine, Coal Energy Group 3, LLC, C/007/0047, Task #5779

Dear Mr. Johnson:

The Division has completed a review of the information you submitted on December 10, 2018 for permitting the Kinney #2 Mine. This application is considered to be administratively complete. A copy of our review worksheet is enclosed for your information and records.

A technical review of your plan has been initiated. Technical deficiencies will be forwarded to you as reviews are completed. The Division will also coordinate with other agencies and incorporate their comments into our review process. Issues raised will need to be resolved prior to permit issuance.

At this time you should publish a Notice of Complete Application for permitting the Kinney #2 Mine as a new mining operation as required by R645-300-121. A copy of the affidavit of publication should be sent to the Division as soon as it is available. You should also insure that a copy of the application is on file at the appropriate County Courthouse. The Division will complete a technical analysis, which must find that your application is technically complete. We anticipate that additional information may be necessary to make your application technically complete and look forward to working with you throughout the permitting process.

Please call if you have any questions. Thank you for your help in the permitting process.

Sincerely,

Daron R. Haddock  
Coal Program Manager

DRH/sqs  
Enclosure  
Cc: Kirk Nicholes  
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**ADMINISTRATIVE COMPLETENESS REVIEW WORKSHEET  
(R645-100)**

**DATE:** December 10, 2018

**REVIEWER(S):** Suzanne Steab, Priscilla Burton, Steve Christensen, Todd Miller, Daron Haddock, Justin Eatchel, Keenan Storrar

**APPLICANT:** Coal Energy Group 3, LLC

**MINE NAME:** C/007/0047 **FILE NO.:** Task #5779

**"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. If a category is Not Applicable, enter NA in check box. The comments column will identify the deficiency and what is necessary to correct it.

**Comments**

		<b>Comments</b>
301-112	Identification of Interests <u>X</u>	
100	Applicant's Business Structure <u>X</u>	
210	Applicant's Name/Address/Phone <u>X</u>	
220	Resident Agent's Name/Address/Phone <u>X</u>	
230	Name/Address/Phone of AML Fees Payer <u>X</u>	
300	Corporate Structure & Ownership <u>X</u>	
400	Identify Other Mining Operations in US <u>X</u>	
500	Surface & Mineral Ownership <u>X</u>	
600	Ownership Contiguous to Permit <u>X</u>	
700	MSHA Numbers <u>X</u>	The applicant will provide the MSHA numbers prior to permit issuance.
800	Interest in Contiguous Lands <u>X</u>	

301-113	Violation Information	<u>X</u>	
100	AVS Violation Evaluation	<u>X</u>	An AVS Evaluation was generated for Coal Energy Group 3, LLC on 12/7/18. No violations were retrieved in the system.
200	Suspension or Revocation Information	<u>X</u>	An AVS Evaluation was generated for Coal Energy Group 3, LLC on 12/7/18. No suspensions or revocations were retrieved in the system.
300	List of Violations - <b>3 Previous Years</b>	<u>X</u>	Violation information has been provided. The applicant is a new company so has no violation history. Some officers of the company have ties to other coal mining operations. The violation history for the past three years has been submitted.

301-114	Right of Entry	<u>X</u>	The application specifies right of entry for surface lands and coal extraction on an agreement with the major property owner, Evangelos George Telonis, ETAL and on ownership of the Carbon County Lease covering the permit area. The lease agreements have been submitted.
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301-115	Status of Unsuitability Claims	<u>X</u>	
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301-116	Permit Term	<u>X</u>	
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301-117	Insurance	<u>X</u>	The applicant will provide insurance prior to permit issuance.  The applicant will place public notice upon notification that the permit application is administratively complete.
	Proof of Publication	<u>X</u>	
	Facilities and Structures Used in Common	<u>X</u>	

301-118	Filing Fee	<u>X</u>	The filing fee was paid on 12/7/18.
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301-123	Notarized Signature of Responsible Official	<u>X</u>	
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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>	
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301-200	Soils	<u>X</u>	Chapter 2
211	Description of Pre-mining Soil Resources	<u>X</u>	Section R645-301-222, Table 25, Exhibit 1 and Map 14 Pre-Mining Topography
221	Prime Farmland Investigation	<u>X</u>	Section R645-301-221 and Ex. 2.
222	Soil Survey	<u>X</u>	Section R645-301-222 and Ex. 6 and Map 34 Topsoil To Be Disturbed.
224	Substitute Topsoil Info (When Proposed)	<u>X</u>	Section R645-301-231 and Section R645-301-233
230	Operation Plan <b>Topsoil Handling/Removal/Storage</b>	<u>X</u>	Section R645-301-231, Section R645-301-232, Section R645-301-234. 220 and R645-301-234.230, Topsoil salvage and storage maps 34 - 44, and Map 13 Surface Facilities.
240	Reclamation Plan <b>Soil Redistribution/Stabilization</b>	<u>X</u>	Section R645-301-234.240, Section R645-301-243, Section R645-301-244, Maps 29 Interim Topography and 29A Final Topography

301-300	Biology	<u>X</u>	Chapter 3
320	Vegetation Information	<u>X</u>	Section R645-301-321, Exhibit 7
322	Fish and Wildlife Information	<u>X</u>	Section R645-301-322, Exhibit 8
323	Maps/Photos <b>Vegetation-Fish-Wildlife Areas</b>	<u>X</u>	Map 1A, Map 1B, Map 2A, Map 2B, Map 2C, Map 2D, Map 2E, Map 2F, Map 2G
330	Operation Plan <b>Vegetation-Fish-Wildlife Protection</b>	<u>X</u>	Section R645-301-330, Section R645-301-333
341	Reclamation Plan for Revegetation	<u>X</u>	Section R645-301-341

342	Fish & Wildlife Plan for Reclamation Phase	<u>X</u>	Section R645-301-342
301-400	Land Use and Air Quality	<u>X</u>	Chapter 4
411	Pre-Mining Land Use Information <b>(Includes Cultural Resources)</b>	<u>X</u>	Section R645-301-411, Map 4, Exhibit 3-1 (Confidential)
412	Post-Mining Land Use Information	<u>X</u>	R645-301-412
301-500	Engineering	<u>X</u>	
510 520	General Description of Operation Plan <b>(Maps, Locations, Cross-Sections, Narrative, Descriptions &amp; Calculations)</b>	<u>X</u>	
522	Coal Recovery Description	<u>X</u>	
523	Mining Methods	<u>X</u>	
524	Blasting and Explosives Plan	<u>X</u>	
525	Subsidence Control Plan	<u>X</u>	
526	Mine Facilities Description <b>(Narrative, Plans, Maps) Including Existing Structures &amp; Support Facilities</b>	<u>X</u>	
527	Transportation Facilities <b>(Including Plans &amp; Maps)</b>	<u>X</u>	
528	Coal Mine Waste Plans <b>(Description &amp; Designs)</b>	<u>X</u>	
529	Management of Mine Openings <b>(Design)</b>	<u>X</u>	
531	General Plans for Structures	<u>X</u>	
532	Sediment Control	<u>X</u>	
533	Impoundments	<u>X</u>	

301-534	Roads <b>(Plans, Drawings, Designs, &amp; Specifications)</b>	<u>X</u>	
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>	Geology is discussed in Chapter 6 of the application. There is a fairly thorough amount of Geologic Information provided.
621	Description of Geology <b>(Permit &amp; Adjacent Area)</b>	<u>X</u>	A description of the geology of the area is found in Chapter 6 of the application. A generalized stratigraphic column is provided as Figure 3. Drill logs are found in the confidential folders. Overburden thickness and lithology are discussed on page 24
622	Geologic Cross-Sections, Maps, and Plans	<u>X</u>	Geologic maps and Cross-Sections have been provided. Regional Geology is Map 6, Cross-sections of the mine area are found on Map 7A and 7B.
630	Plans for Casing and Sealing Holes	<u>X</u>	Plans for casing and sealing exploration holes are found on page 27 of Chapter 6

301-700	Hydrology	<u>X</u>	Beginning on page 7-1 of Chapter 7, the Permittee provides descriptions/data of the hydrologic resources within the permit and adjacent area.
721	Description of Hydrologic Resources <b>(Permit and Adjacent Area)</b>	<u>X</u>	On page 7-2 of Chapter 7, the Permittee provides a description of the existing, pre-mining hydrologic resources within the proposed permit and adjacent areas.

722	Cross-Sections and Maps <b>Subsurface Water - Surface Water - Monitoring Stations - Wells</b>	<u>X</u>	Section R645-301-722 on page 7-8 of Chapter 7, the Permittee provides a comprehensive list of the maps and exhibits required per R645-301-722 including: Map 7, Surface Water Bodies, Map 7A, X-Section A-A', Map 7B, X-Section C-C', Map 8, Faults and Other Geologic Structures Affection Hydrology, Map 9 Ground Water Level Data, Map 10, Regional Water Quality, Map 28, Surface and Ground Water Monitoring Locations.
723	Sampling and Analysis	<u>X</u>	On page 7-9 of Chapter 7, the Permittee provides a commitment to have all water quality samples analyzed according to the most current copy of the Standard Methods for the Examination of Water and Wastewater.
724	Baseline Information <b>Ground Water - Surface Water - Geology - Climatological &amp; Supplemental; If Needed</b>	<u>X</u>	The Permittee provides baseline information for ground surface water beginning on page 7-11 of Chapter 7. Ground Water Information begins on page 7-12. Surface Water Information begins on page 7-37. Table 20, Hydrologic Monitoring Schedule identifies the water quality parameters/analytes utilized in collection both ground and surface water baseline information. Climatological Information is provided in Section R645-301-724.400 in Chapter 7.
728	PHC Determination	<u>X</u>	The PHC determination is provided in Section R645-301-728 on page 7-88 of Chapter 7. The Permittee discusses the potential impacts to ground and surface quality and quantity. The PHC was developed based on ground and surface water baseline data provided with the Permit Application Package (PAP). Mitigation efforts to be implemented in the event of impacts are also discussed.
730	General Operation Plan <b>Minimize Disturbance to Hydrologic Balance &amp; Compliance with Clean Water Act</b>	<u>X</u>	Efforts to be taken to minimize disturbance to the hydrologic balance and comply with the Clean Water Act are provided in Section R645-301-730, Operation Plan on page 7-101 of Chapter 7.
731	Ground and Surface Water Protection	<u>X</u>	Section R645-301-731, Hydrologic-Balance Protection Plan on page 7-103 describes plans for protecting ground and surface water resources.
732	Sediment Control Measures	<u>X</u>	Section R645-301-732 and R645-301-742 provides discussion and information on the Sediment Control Measures to be implemented at the site.

301-740	Plans and Designs <b>Operation and Reclamation Plan</b> <b>Sediment Control Measures</b>	<u>X</u>	Beginning on page 7-129 the application presents information on the design standards and considerations for the hydrologic designs (both disturbed and undisturbed drainage) to be utilized during construction, operation, maintenance and reclamation of the mine site.
	Siltation Structures	<u>X</u>	On page 7-130, Section R645-301-742.200 of the application, the design considerations for the proposed siltation structures are discussed. The primary siltation structure is the main surface facility sediment pond (See below).
	Sediment Ponds	<u>X</u>	Sediment pond design information is provided beginning on page 7-131 of Section R645-301-742.220.
	Other Treatment Facilities	<u>X</u>	On page 3-63, 7-111, the application discusses how protective berms, silt fences, sediment raps, straw bales and other suitable sediment control measures will be implemented to minimize erosion from mine disturbance areas.
	Diversions	<u>X</u>	Section R645-301-742.300 on page 7-133 provides information relative to the design of the mine sites diversions that are proposed for conveyance of storm water runoff. Map 24 depicts the drainage and sediment control plan for the disturbed drainage areas. Design calculations for temporary and permanent diversions are provided in Exhibit 16, Runoff Control Design Details.
	Road Drainage	<u>X</u>	Section R645-301-742.400 provides the road drainage design considerations.
	Impoundments	<u>X</u>	Section R645-301-743 on page 7-135 of Chapter 7 provides the discussion of the sole impoundment to be utilized at the mine site.
	Discharge Structures	<u>X</u>	Section R645-301-744 on page 7-135 of Chapter 7 provides information on the proposed discharge structures to be constructed at the mine site. Flow rates and velocities for temporary diversion ditches and discharge calculations for the sedimentation pond outlet are presented in Exhibit, Runoff Control Design Details.
	Disposal of Excess Spoil	<u>X</u>	Section R645-301-745 on page 7-137 of Chapter 7 address the disposal of excess spoil and states, "mining and related operations will not result in the generation of any excess spoil."
	Coal Mine Waste	<u>X</u>	Section R645-301-746 on page 7-137 of Chapter 7 discusses coal mine waste. A detailed discussion is provided in Chapter 5 under R645-301-526.
	Disposal of Non-Coal Mine Waste	<u>X</u>	Section R645-301-747 on page 7-137 of Chapter 7 discusses the disposal of non-coal mine waste.

	Casing and Sealing of Wells	<u>X</u>	Section R645-301-748 on page 7-138 of Chapter 7 discusses the casing and sealing of wells. The procedures for plugging and sealing the wells are detailed in Section R645-301-631 thru 631.200 and -641.
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301-800	Bonding and Insurance	<u>X</u>	
820	Applicant <b>Have Adequate Bond at Permit Issuance</b>	<u>X</u>	Adequate bond will be posted prior to permit issuance.
830	Bond Estimate and Calculations Provided	<u>X</u>	Bond appears to be adequate and escalated to 2023.
890	Certificate of Insurance Provided	<u>X</u>	The applicant will provide insurance prior to permit issuance.

302-200	Special Categories of Mining	<u>NA</u>	Not Applicable
210	Experimental Practices Mining	<u>NA</u>	Not Applicable- Permittee has no plans to implement or utilize experiemental practices in conjunction with the proposed mine plan.
220	Mountaintop Removal Mining	<u>NA</u>	Not Applicable- Permittee has no plans to implement or utilize mountain top removal mining techniques. The proposed mining operation is exclusively underground.
230	Steep Slope Mining	<u>NA</u>	Not Applicable- Steep slopes are limited in the areas planned for surface disturbance. Most of the planned reclamation efforts will occur on terrain condusive to topsoil salvage.
240	Auger Mining	<u>NA</u>	Not applicable- The Permittee has no present plans to conduct auger mining.
250	In Situ Processing Activities	<u>NA</u>	Not applicable- The Permittee has no present plans to conduct in situ processing activities.

302-260	Coal Processing Plants <b>(Not Located Within Permit Area of Mine)</b>	<u>NA</u>	Not applicable- The Permittee has no present plans to utilize a coal processing plant.
270	Variances From Approximate Original Contour Restoration Requirements	<u>NA</u>	Not Applicable- The Permittee is not requesting or proposing a variance from the approximate original contour at final reclamation.
280	Variances for Delay in Contemporaneous Reclamation Requirement in Combined Surface and Underground Coal Mining Activities	<u>NA</u>	Not Applicable- The mine plan is exclusively underground thus the provisions of this rule do not apply.

290	Small Operator Assistance Program (SOAP)	<u>NA</u>	Not Applicable- The Permittee does not qualify under the SOAP eligibility guidelines and is not seeking such assistance.
302-300	Special Areas of Mining	<u>NA</u>	Not Applicable
301	Prime Farmland	<u>NA</u>	Documentation of the formal consultation with the USDA- NRCS regarding potential prime farmlands is provided in Exhibit 6, Soils Information. The determination found that prime farmlands do not exist in the Kinney No. 2 Mine permit area.
302	Alluvial Valley Floors	<u>NA</u>	The application addresses Alluvial Valley Floors beginning on page 9-3 of Chapter 9, R645-302 Special Categories.

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