



OGMCOAL DNR &lt;ogmcoal@utah.gov&gt;

## Lila Canyon- Federal Lease Modifications (Task #21793) Administratively Complete

2 messages

**Steve Christensen** <stevechristensen@utah.gov>

Tue, Nov 22, 2022 at 7:14 AM

To: Jesse Candelaria <jessecandelaria@acnrinc.com>

Cc: "Nielsen, Nick" <nicknielsen@acnrinc.com>, Kim Betcher <kimbetcher@acnrinc.com>, Justin Eatchel <jeatchel@utah.gov>, OGMCOAL DNR <ogmcoal@utah.gov>, Triton Abeyta <tritonabeyta@acnrinc.com>

Good morning Jesse,

I've attached the Division's determination of administrative completeness. The cover letter and the review worksheet are attached. No hardcopy to follow. At this point, go ahead and start the 4 consecutive week public notice process. Once the four week run has been completed, please send us the affidavit of publication.

fyi- Our agency notifications will go out this morning. I will also forward the application and completeness determination to OSMRE after our staff meeting. Thanks for working with Justin yesterday and getting the granular details worked out in the public notice.

Please let Justin or I know if you have any questions.

Regards,  
Steve

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### Steve Christensen

Coal Program Manager

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Utah Department of Natural Resources

Division of Oil, Gas & Mining



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**11212022.ACRLetter.21793.pdf**

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**Betcher, Kim** <kimbetcher@acnrinc.com>

Tue, Nov 22, 2022 at 7:29 AM

To: Steve Christensen <stevechristensen@utah.gov>, "Candelaria, Jesse" <jessecandelaria@acnrinc.com>

Cc: "Nielsen, Nick" <nicknielsen@acnrinc.com>, Justin Eatchel <jeatchel@utah.gov>, OGMCOAL DNR <ogmcoal@utah.gov>, Triton Abeyta <tritonabeyta@acnrinc.com>

Thank you all for moving this along.

Have a Happy Thanksgiving!

Best Regards,

Kim

412-225-5761

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**From:** Steve Christensen <[stevechristensen@utah.gov](mailto:stevechristensen@utah.gov)>

**Sent:** Tuesday, November 22, 2022 9:15 AM

**To:** Candelaria, Jesse <[jessecandelaria@acnrinc.com](mailto:jessecandelaria@acnrinc.com)>

**Cc:** Nielsen, Nick <[nicknielsen@acnrinc.com](mailto:nicknielsen@acnrinc.com)>; Betcher, Kim <[kimbetcher@acnrinc.com](mailto:kimbetcher@acnrinc.com)>; Justin Eatchel <[jeatchel@utah.gov](mailto:jeatchel@utah.gov)>; OGMCOAL DNR <[ogmcoal@utah.gov](mailto:ogmcoal@utah.gov)>; Triton Abeyta <[tritonabeyta@acnrinc.com](mailto:tritonabeyta@acnrinc.com)>

**Subject:** Lila Canyon- Federal Lease Modifications (Task #21793) Administratively Complete

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*Governor*

DEIDRE M. HENDERSON  
*Lieutenant Governor*

Department of Natural Resources  
Division of Oil, Gas and Mining

JOEL FERRY  
*Executive Director*

JOHN R BAZA  
*Division Director*

November 22<sup>nd</sup>, 2022

Emery County Coal Resources, Inc.  
Jesse Candelaria, Acting Resident Agent  
P.O. Box 910  
East Carbon, Utah 84520-0910

Subject: Determination of Administrative Completeness for Federal Lease Modifications, Emery County Coal Resources, Inc., Lila Canyon Mine, C/007/0013, Task #21793

Dear Mr. Candelaria:

The Division has completed a review of the information you submitted on September 7th, 2022. This application is 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 the two federal lease modifications for the Lila Canyon Mine as required by R645-300-121. A copy of the publication affidavit should be sent to the Division as soon as it is available. You should also ensure 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 additional information may be necessary to make your application technically complete and look forward to working with you throughout the process.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Christensen', written in a cursive style.

Steve Christensen  
Coal Program Manager

**ADMINISTRATIVE COMPLETENESS REVIEW WORKSHEET  
(R645-100)**

**DATE:** 21 November 2022

**REVIEWER(S):** Justin Eatchel, Priscilla Burton, Todd Miller, Amanda Daniels, Kendra Hinton

**APPLICANT:** Emery County Coal Resources, Inc

**MINE NAME:** Lila Canyon Mine **TASK NO.:** 21793

**"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**

301-112	Identification of Interests	X	Ch. 1, Pg 1-1
100	Applicant's Business Structure	X	Ch. 1, Pg 1-1
210	Applicant's Name/Address/Phone	X	Ch. 1, Pg 1-2
220	Resident Agent's Name/Address/Phone	X	Ch. 1, Pg 1-3
230	Name/Address/Phone of AML Fees Payer	X	Ch. 1, Pg 1-2
300	Corporate Structure & Ownership	X	Ch. 1, Pgs 1-2 thru 1-5, Appx. 1-2
400	Identify Other Mining Operations in US	X	Ch. 1, Pg 1-4
500	Surface & Mineral Ownership	X	Ch. 1, Pg 1-4 thru 1-5
600	Ownership Contiguous to Permit	X	Ch. 1, Pg 1-6
700	MSHA Numbers	X	Ch. 1, Pg 1-6
800	Interest in Contiguous Lands	X	Ch. 1, Pg 1-6

301-113	Violation Information	X	Ch. 1, Pg 1-6
200	Suspension or Revocation Information	X	Ch. 1, Pg 1-6
300	List of Violations - <b>3 Previous Years</b>	X	Ch. 1, Pg 1-6
301-114	Right of Entry	X	Ch. 1, Pgs 1-6 thru 1-7, Appx. 1-7
301-115	Status of Unsuitability Claims	X	Ch. 1, Pg 1-11
301-116	Permit Term	X	Ch. 1, Pg 1-11
301-117	Insurance	X	Ch. 1, Pg 1-12
	Facilities and Structures Used in Common	X	Ch. 1, Pg 1-12
301-118	Filing Fee	X	Ch. 1, Pg 1-12
301-123	Notarized Signature of Responsible Official	X	Appx. 1-5
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>	X	Ch. 1, Pgs 1-12 thru 1-13

301-200	Soils	X	
211	Description of Pre-mining Soil Resources	NA	
221	Prime Farmland Investigation	X	
222	Soil Survey	NA	
224	Substitute Topsoil Info (When Proposed)	NA	
230	Operation Plan <b>Topsoil Handling/Removal/Storage</b>	NA	
240	Reclamation Plan <b>Soil Redistribution/Stabilization</b>	NA	

301-300	Biology	X	
320	Vegetation Information	X	Ch. 3 p. 3, Appendix 3-1a
322	Fish and Wildlife Information	X	Ch. 3, p. 4, Appendix 3-8
323	Maps/Photos <b>Vegetation-Fish-Wildlife Areas</b>	X	Ch. 3 p. 12, Plate 3-2
330	Operation Plan <b>Vegetation-Fish-Wildlife Protection</b>	X	Ch. 3 p. 14
341	Reclamation Plan for Revegetation	X	Ch. 3 p. 23
342	Fish & Wildlife Plan for Reclamation Phase	X	Ch. 3 p. 28

301-400	Land Use and Air Quality	X	
411	Pre-Mining Land Use Information <b>(Includes Cultural Resources)</b>	X	Ch. 4 p. 2, Confidential File
412	Post-Mining Land Use Information	X	Ch. 4 p. 15

301-500	Engineering	X	
510 520	General Description of Operation Plan <b>(Maps, Locations, Cross-Sections, Narrative, Descriptions &amp; Calculations)</b>	X	Ch. 5 Pgs 8 thru 32
522	Coal Recovery Description	X	Ch. 5 Pgs 32 thru 33
523	Mining Methods	X	Ch. 5 Pgs 33 thru 35
524	Blasting and Explosives Plan	X	Ch. 5 Pgs 36 thru 42
525	Subsidence Control Plan	X	Ch. 5 Pgs 42 thru 56
526	Mine Facilities Description <b>(Narrative, Plans, Maps) Including Existing Structures &amp; Support Facilities</b>	X	Ch. 5 Pgs 57 thru 60
527	Transportation Facilities <b>(Including Plans &amp; Maps)</b>	X	Ch. 5 Pgs 61 thru 62
528	Coal Mine Waste Plans <b>(Description &amp; Designs)</b>	X	Ch. 5 Pgs 62 thru 65
529	Management of Mine Openings <b>(Design)</b>	X	Ch. 5 Pgs 65 thru 66
531	General Plans for Structures	X	Ch. 5 Pg 66
532	Sediment Control	X	Ch. 5 Pg 66
533	Impoundments	X	Ch. 5 Pgs 66 thru 67

301-534	Roads <b>(Plans, Drawings, Designs, &amp; Specifications)</b>	X	Ch. 5 Pgs 67 thru 68
535	Spoil	X	Ch. 5 Pg 69
536	Coal Mine Waste	X	Ch. 5 Pgs 69 thru 70
537	Regraded Slopes	X	Ch. 5 Pg 70



540 541-542	Reclamation Narrative, Maps and Plans	X	Ch. 5 Pgs 70 thru 74
551	Casing and Sealing <b>Underground Openings</b>	X	Ch. 5 Pgs 73 thru 74, Appx. 5-6
553	Backfilling and Grading Description	X	Ch. 5 Pgs 74 thru 77

301-600	Geology	X	
621	Description of Geology <b>(Permit &amp; Adjacent Area)</b>	NA	
622	Geologic Cross-Sections, Maps, and Plans	X	Updates made to Plate 6-1 through 6-5
630	Plans for Casing and Sealing Holes	NA	

301-700	Hydrology	X	
721	Description of Hydrologic Resources <b>(Permit and Adjacent Area)</b>	X	Appendix 7-12 has been added
722	Cross-Sections and Maps <b>Subsurface Water - Surface Water - Monitoring Stations - Wells</b>	X	Plates 7-1, 7-1a, 7-3, and 7-4 have been revised
723	Sampling and Analysis	X	Water monitoring Table 7-3 has been revised
724	Baseline Information <b>Ground Water - Surface Water - Geology - Climatological &amp; Supplemental; If Needed</b>	X	Appendix 7-6 was update to include baseline sampling taken throughout 2022.
728	PHC Determination	X	Appendix 7-3 has been revised and Appendix 7-12 added
730	General Operation Plan <b>Minimize Disturbance to Hydrologic Balance &amp; Compliance with Clean Water Act</b>	X	
731	Ground and Surface Water Protection	X	
732	Sediment Control Measures	X	No surface disturbance is proposed with this amendment

301-740	Plans and Designs <b>Operation and Reclamation Plan</b> <b>Sediment Control Measures</b>	X	No surface disturbance is proposed with this amendment
	Siltation Structures	X	
	Sediment Ponds	X	
	Other Treatment Facilities	X	
	Diversions	X	
	Road Drainage	X	
	Impoundments	X	
	Discharge Structures	X	
	Disposal of Excess Spoil	X	
	Coal Mine Waste	X	
	Disposal of Non-Coal Mine Waste	X	
	Casing and Sealing of Wells	X	

301-800	Bonding and Insurance	X	No disturbance proposed
820	Applicant <b>Have Adequate Bond at Permit Issuance</b>	X	Cover letter, MRP Ch. 8 Appx. 8-1
830	Bond Estimate and Calculations Provided	X	MRP Ch. 8 Appx. 8-1, pgs 16 thru 85
890	Certificate of Insurance Provided	X	MRP Ch. 8 Appx. 8-2

302-200	Special Categories of Mining	X	
210	Experimental Practices Mining	NA	
220	Mountaintop Removal Mining	NA	
230	Steep Slope Mining	NA	
240	Auger Mining	NA	
250	In Situ Processing Activities	NA	

302-260	Coal Processing Plants (Not Located Within Permit Area of Mine)	NA	
270	Variances From Approximate Original Contour Restoration Requirements	NA	
280	Variances for Delay in Contemporaneous Reclamation Requirement in Combined Surface and Underground Coal Mining Activities	NA	
290	Small Operator Assistance Program (SOAP)	NA	

302-300	Special Areas of Mining	X	
301	Prime Farmland	X	Appx. 2-1 States there are no Prime Farmlands anywhere within the permit.
302	Alluvial Valley Floors	X	Appx. 2-1 States there are no Prime Farmlands anywhere within the permit.

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