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CONSOLIDATION COAL COMPANY
WESTERN / NON-MINING OPERATIONS
P.O. BOX 566
SESSER, IL. 62884
618-625-2041
FAX: 618-625-6844
August 25, 1998

Mr. Joe Helfrich, Permit Supervisor
State of Utah
Department of Natural Resources
Division of Oil, Gas, and Mining
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84114-5801

ACT/015/007 #2

Re: Hidden Valley Reclamation Plan
Act/015/007
Emery County, Utah

Dear Mr. Helfrich:

After our meeting at the Price field office and inspection of the Hidden Valley Mine on August 13, 1989, Consolidation Coal Company submits the following permit revision for review. The revision incorporates changes to the A-seam terrace diversion and lower silt fence as discussed during the meetings.

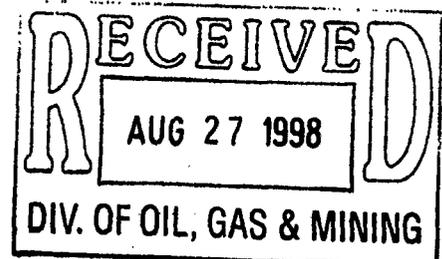
If you have any questions or require any additional information, please contact me at (618)625-6867.

Sincerely,

A handwritten signature in cursive script that reads "Brian D. Butts".

Brian D. Butts P.E.
Project Engineer

Enclosures
cc: Steve Behling - Emery Mine



APPLICATION FOR PERMIT CHANGE

Title of Change: A-Seam Terrace Diversion Abandonment Request	Permit Number: ACT / 015 / 007 Mine: Hidden Valley Mine Permittee: Consolidation Coal
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Description, include reason for change and timing required to implement:
Boulders have fallen into the upper reach of the A-seam terrace diversion ditch. Since the entire A-seam portal will soon undergo a grading project similar to the B-seam, and the plan is to remove the A-seam terrace diversion, there is no practical reason to mobilize machinery to remove the boulders.
 Implementation: Immediately

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	1. Change in the size of the Permit Area? _____ acres <input type="checkbox"/> increase <input type="checkbox"/> decrease.
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	2. Change in the size of the Disturbed Area? _____ acres <input type="checkbox"/> increase <input type="checkbox"/> decrease
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	3. Will permit change include operations outside the Cumulative Hydrologic Impact Area?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	4. Will permit change include operations in hydrologic basins other than currently approved?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	5. Does permit change result from cancellation, reduction or increase of insurance or reclamation bond?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	6. Does permit change require or include public notice publication?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	7. Permit change as a result of a Violation? Violation #
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	8. Permit change as a result of a Division Order? D.O. #
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	9. Permit change as a result of other law or regulations? Explain:
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	10. Does permit change require or include ownership, control, right-of-entry, or compliance information?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	11. Does the permit change affect the surface landowner or change the post mining land use?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	12. Does permit change require or include collection and reporting of any baseline information?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	13. Could the permit change have any effect on wildlife or vegetation outside the current disturbed area?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	14. Does permit change require or include soil removal, storage or placement?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	15. Does permit change require or include vegetation monitoring, removal or revegetation activities?
<input checked="" type="checkbox"/> Yes	No	16. Does permit change require or include construction, modification, or removal of surface facilities? <i>Abandonment of Reach-A of A-Seam Terrace Diversion Ditch</i>
<input checked="" type="checkbox"/> Yes	No	17. Does permit change require or include water monitoring, sediment or drainage control measures? <i>Abandonment of Reach-A of A-Seam Terrace Diversion Ditch</i>
Yes	<input checked="" type="checkbox"/> No	18. Does permit change require or include certified designs, maps, or calculations?
Yes	<input checked="" type="checkbox"/> No	19. Does permit change require or include underground design or mine sequence and timing?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	20. Does permit change require or include subsidence control or monitoring?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	21. Have reclamation costs for bonding been provided or revised for any change in the reclamation plan?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	22. Is permit change within 100 feet of a public road or perennial stream or 500 feet of an occupied building?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	23. Is this permit change coal exploration activity <input type="checkbox"/> inside <input type="checkbox"/> outside of the permit area?

Attach 3 complete copies of proposed permit change as it would be incorporated into the Mining and Reclamation Plan.

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commissions, undertakings, and obligations, herein.

Brian D. Butts, **BRIAN D. BUTTS PROJECT ENGINEER**, 8/25/98
 Signed - Name - Position - Date

Subscribed and sworn to before me this 25th day of August, 1998.
Constance J. Morgenthaler
 Notary Public

Mt Commission Expires: April 8 2001 }
 Attest: STATE OF Illinois } ss:
 COUNTY OF Perry }

Received by Oil, Gas & Mining

RECEIVED
 AUG 27 1998
 ASSIGNED PERMIT CHANGE NUMBER
 DIV. OF OIL, GAS & MINING

CONSTANCE J MORGENTHALER
 NOTARY PUBLIC STATE OF ILLINOIS
 MY COMMISSION EXP. APR. 8, 2001

Drainage from the entire A-seam pad, including the fill slope, the main pad area and the old sediment pond location, is all conveyed through a series of silt fences to the diversion at the location of the old sediment pond which empties into Ivie Creek. The channel constructed during the original Plan is sufficient to carry these flows, as indicated on the Amendment page 10-a.

Silt fences were constructed according to original specifications, but in some areas a heavy-gauge field fence was used instead of the chicken wire called for in the original Plan. The field fence will provide a stronger support for the fabric.

The A-seam terrace diversion has been made functional by regrading the bench cut, and has been extended by creating a ditch across the road and down onto the flat area east of the ephemeral channel. The alignment of this channel is shown on the revised Plate III, and design details are given in the addendum to Appendix III. Information on peak flows and channel configuration for this diversion is updated on Amended page 10-a.

A series of small retention berms was placed downslope of the outlet of the channel parallel to the slope on the flat bench east of the ephemeral channel. The alignment of these berms is shown on revised Plate III. They are approximately 2 feet high, with 2h:1v sideslopes, constructed with cut/fill techniques. They will serve to retain runoff and sediment and pass the overflow to the next, downstream berm, thus creating a longer flow path to the silt fence and the ephemeral channel.

Several large boulders from the cliff above Reach A of the A-seam terrace diversion have fallen into the diversion and are partially blocking the flow path. Currently the flow path has been re-established by hand excavating with a shovel around the largest of these boulders. It has become apparent that this diversion will not function as designed in the long term (post bond release period) as it continues to fill with fallen rock.

An alternate grading plan for the A-seam portal area was discussed in the field with representatives from the DOGM on August 13, 1998. The details of this plan will be finalized after Consol evaluates the reclamation success of the regrading efforts on the B-seam portal. Generally, part of the plan is to remove in its entirety the A-Seam diversion channel and allow the offsite drainage to flow across the A-seam backfill slope. The slope will be protected against erosion by the application of coarse fragments and surface roughening as was the B-seam slope. Naturally channelized drainage will be allowed to flow in the location and direction that 'mother nature' intended for it to flow and will not be redirected for perpetuity. It is currently anticipated that the A-seam regrading will occur in calendar year 2000.

Maintenance of the upper reach of the diversion has become a logistical problem in this interim period. The rocks that are currently in the diversion channel are too large to move by hand methods. Mobilization of a machine large enough to move the boulders would destroy the equilibrium that has already been achieved in a rather large area, just in order to gain access to the site. Once the boulders are removed, the equipment demobilized, and the newly created disturbance repaired, it is plausible that another boulder could fall into the diversion and re-block the flow path. It does not make any reasonably good sense to remove the boulders in this interim period when it is clear that this diversion ditch will not function as designed in the post bond release time period. It is the intent and purpose of this permit revision request to abandon the upper reach of the A-seam terrace diversion ditch until such time that Consol implements the final regrading plan for the site.

The potential environmental problem created by this abandonment is that it may allow water to overtop the diversion and possibly create rivulets down the side slope in the A-seam backfill material. This is not seen as a problem as long as any soil eroded by this process is maintained on site. As long as the soil is trapped on site, it will be redistributed as part of the future regrading plan. To mitigate the loss of soil, Consol proposes to enhance the height of the existing silt fence to maintain adequate soil storage volume. This will be accomplished by adding additional rows of wire mesh and fabric as needed by field observation.

Worst case flow rates to the old sediment pond area would be $1.83+0.36 = 2.19$ cfs. Neglecting any available storage volume in the flattened terrace area, then the 'Sed. Pond' reach channel diversion would see a flow velocity of 11.0 fps. { $Q=2.19$ cfs, $s=0.9$, width=0.0, $m=2h:1v$, $n=0.035$ } This should not cause any additional erosion at this point since the reach is heavily armored with rock in the 1' - 2' size range.