

**Consolidation Coal Company**

Western Region
2 Inverness Drive East
Englewood, Colorado 80110
303-770-1600

June 22, 1977

Cleon B. Feight
State of Utah
Department of Natural Resources
Division of Oil, Gas and Mining
1588 West North Temple
Salt Lake City, UT 84116

Dear Mr. Feight:

Enclosed you will find a copy of a "Notice of Intention to Commence Mining Operations" and a "Mining and Reclamation Plan" for the Emery Underground Mine.

Consolidation Coal Company, a subsidiary of Continental Oil Company, is self-insured. Enclosed is a copy of the Annual Report of Continental Oil Company, which is evidence of the capability of payment of off-site public liability or property damage claims for which Consolidation Coal Company may become liable.

If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Patricia Smith".

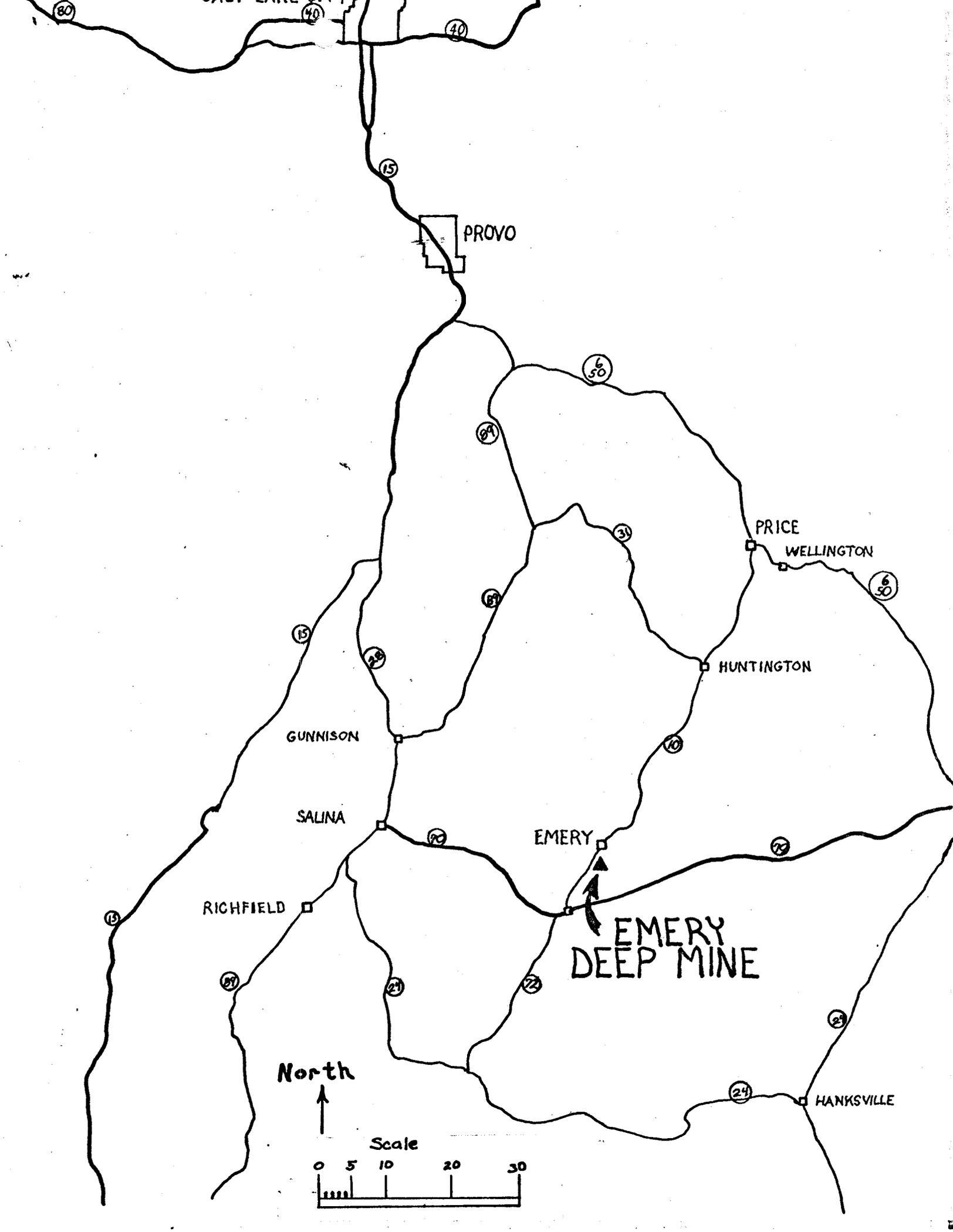
Patricia Smith

PS/j
Enclosure

Emergency Deep Mine



Consolidation Coal Company
Western Region



PROVO

PRICE
WELLINGTON

HUNTINGTON

GUNNISON

SALINA

EMERY

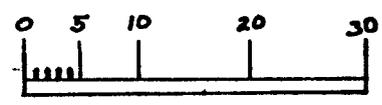
RICHFIELD

EMERY
DEEP MINE

HANKSVILLE

North

Scale



INTRODUCTION

The Emery Mine is an underground coal mining operation. The Emery Mine is located in Section 33, T22S, R6E, at an elevation of 5,925 feet. The Emery Mine is a joint venture between Consolidation Coal Company (Consol) and Kemmerer Coal Company (Kemmerer). Consol is the mine operator. The Emery Mine was originally known as the Browning Mine which first opened in 1881 and intermittently produced coal until 1930. Since 1930 there has been a constant production of coal from the mine. Consol -Kemmerer took over the Browning (Emery) Mine in May, 1975.

MINING PROCEDURES (MR Form 2 Question #11)

a) Mining Sequence:

At the Emery Mine, coal is mined by the entry and room method from the "I" coal seam which is located from 50-1000 feet below the surface. The coal seam has a constant dip of about 30. The annual coal production has been increasing since 1975, and will be approximately 280,000 tons this year.

Mining is being conducted by both conventional and continuous systems. At the present time, there is one continuous section and one conventional section in the Emery Mine.

The coal is brought by conveyor from the underground workings to the surface where it is crushed and sized. The coal is not washed at the mine site.

Surface facilities for the mine are located as shown on Figure 1. These facilities consist of an office, bathhouse, warehouse, warehouse shack, maintenance building, foreman's office, two explosive shacks, weighing station, watertank, borehole pump station and a settling pond.

b) Access Roads:

No new access roads are anticipated for the Emery Underground Mine. Current access is provided by an unpaved county road from Highway 10 to the mine site. This road is maintained by Emery County as necessary.

c) Site Preparation:

Surface facilities for the mine are presently existing. No new site preparation is anticipated at this time. However, prior to any new construction activities, any trees, shrubs, etc. will be removed and disposed of in accordance with applicable State, Federal or local regulations. Suitable surface soils located in new construction areas will be removed, stockpiled, protected and respread upon abandonment.

d) Soil Material Handling:

As stated in item c) above no new construction activities are planned at this time. However, if new construction is required in the future, surface soils will be surveyed and analyzed for their topsoiling suitability, acceptable soils will be removed by the use of an end-loader or other acceptable type earthmoving machinery, stockpiled and protected for respreading upon abandonment.

e) **Material Placement:**

See response to items c) & d) above. No acid or alkaline producing materials are expected to be encountered.

f) All buildings, power facilities, and ventilation systems will be removed from the mine site and their component parts moved to other locations for sale, salvage or reuse. Once this is accomplished, surface grading will be performed as necessary.

At the conclusion of all underground mining activity, portals will be sealed probably using concrete block walls - backfilled with dirt, recontoured and seeded.

GRADING & REGRADING (MR Form 2)

a) No significant topographic changes are anticipated to result from the Emery Underground Mine or related surface facilities.

b) As previously stated in c) above, no new construction facilities are planned at this time. However, if new construction is required, a study will be conducted to determine suitable soils and their thicknesses. From the results of this study, the approximate thickness of the final surfacing material will be determined.

c) The necessary soil treatment will be based on the results of soil tests.

d) All areas graded after abandonment will have positive drainage to Christiansen Wash or Quitchupah Creek.

e) Grading will be done as necessary and graded slopes will not exceed a 3:1 slope.

TESTING (MR Form 2)

Soils which are intended to support vegetation will be tested by standard methods to determine nutrient deficiencies prior to the revegetation effort. Any additional soil treatment employed as an aid to revegetation will be based on the results of soil testing. As an area is prepared for revegetation the surface will be graded, disced, mulched and seeded as necessary. No reclamation fill material is anticipated at the Emery Mine.

REVEGETATION (MR Form 2)

The revegetation objective at the Emery Mine is the establishment of a diverse permanent ground cover meeting the needs of the proposed land use by utilizing as many species native to the area as possible.

Based on the above revegetation objective, the seed mixture will include both introduced and native species. Based on greenhouse studies conducted on soils located near the Emery Mine, practical experience in revegetation areas under semi-arid conditions, and recommendations of the USDA Soil Conservation Service, District Conservationist for Emery County, Utah, the following grasses and shrubs are being considered for inclusion in the seed mixture:

- | | |
|--------------------------|-------------------------|
| 1. Streambank Wheatgrass | 8. Siberian Wheatgrass |
| 2. Crested Wheatgrass | 9. Nuttall Saltbrush |
| 3. Russian Wildrye | 10. Mat Saltbrush |
| 4. Indian Ricegrass | 11. Scarlet Globemallow |
| 5. Alkali Sacaton | 12. Shadscale |
| 6. Sand Dropseed | 13. Galleta |
| 7. Fourwing Saltbrush | |

After seeding, straw or hay (approximately 1500-2000 lbs/acre) mulch will be added, when necessary, to promote moisture retention and minimize the erosion of loose surface materials.

Due to the high slopes around Christiansen Wash, and the rocky nature of the land, grazing prior to vegetation establishment should not be a problem.

Revegetation planning and implementation will be performed in close cooperation with applicable State, Federal and local governments.

Vegetation establishment and growth will be monitored and corrective actions taken if necessary.

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING
1588 West North Temple
Salt Lake City, Utah 84116

NOTICE OF INTENTION TO COMMENCE MINING OPERATIONS
(See Rule M of General Rules and Regulations)

1. Name of Applicant or Company Consolidation Coal Company
Corporation (X) Partnership () Individual ()
2. Address #2 Inverness Drive East, Englewood, Colorado
Permanent Temporary
3. Name and title of person representing company David W. Kirtz
Supv. - Env. Control
4. Address Same as #2 above Office Phone 303-770-1600
5. Location of Operation Emery Sec. 28, 29, T. 22S R. 6E
County 32, 33
6. Name of Mine Emery Mine
7. Mineral to be mined: Mining method:

(X) Coal	() Flagstone	<u>Underground</u>
() Copper	() Gravel	_____
() Manganese	() Shale	_____
() Iron Ore	() Uranium	_____
() Phosphate	() Gilsonite	_____
() Potash	() Bituminous Sandstone	_____
() Fluorspar	() Tungsten	_____
() Other (specify) _____		_____

8. Have you or any person, partnership or corporation associated with you received an approved Notice of Intention to Commence Mining Operations by the State of Utah for operations other than described herein?

* (XX) Yes () No

If yes, list all approval numbers now under surety:

*9. *For Emery Strip Mine - not presently under surety
Owner/Owners of record of the surface area within the land to be affected:

Kemmerer Coal Company Address Frontier, Wyoming

_____ Address _____

_____ Address _____

*The surface owners listed are the owners of the surface where our facilities are located. No subsidence is anticipated at Emery, since room and entry development mining will be done with no robbing of pillars.

10. Owner/Owners of record of minerals to be mined:

<u>Kemmerer Coal Company</u>	Address	<u>Frontier, Wyoming</u>
<u>Federal Lease # U5287</u>	Address	_____
_____	Address	_____
_____	Address	_____

11. Owner/Owners of record of all other minerals within any part of the land affected:

<u>Kemmerer Coal Company</u>	Address	<u>Frontier, Wyoming</u>
<u>John E. Lewis, Jr.</u>	Address	_____
_____	Address	_____

*11a. Have the above owners been notified in writing?
 Yes No

12. Source of Operator's legal right to enter and conduct operations on land to be covered by the Notice Leases and Ownership

13. Approximate acreage to be disturbed: 14 acres
Mining Operation Area: 14 acres +
(include operations, storage, & disposal area) (roads)
Access Road or Haulageway: _____ acres +
Drainage System: _____ acres =
Total Acres: 14 Acres

14. Give the names and post office addresses of every principal Executive, Officer Partner, (or person performing a similar function) of Applicant:

	Name:	Title:	Address:
a.	<u>R. E. Samples</u>	<u>President & Chief Operating Officer</u>	<u>3300 One Oliver Plaza Pittsburgh, PA 15222</u>
b.	<u>D. D. Marston</u>	<u>Sr. V. P.- Mining Western Region</u>	<u>#2 Inverness Drive East. Englewood, CO 80110</u>
c.	_____	_____	_____
d.	_____	_____	_____

15. Has Applicant, any subsidiary or affiliate or any person, partnership, association, trust, or corporation controlled by or under common control with Applicant, or any person required to be identified by Item 14, ever had an approval of a Notice of Intention withdrawn or has surety relating thereto ever been forfeited? Yes No

If yes; explain:

* This answer refers back to question #10.

STATE OF Colorado
COUNTY OF Arapahoe

I, David W. Kirtz, having been duly sworn
depose and attest that all of the representations contained in the foregoing
application are true to the best of my knowledge; that I am authorized to
complete and file this application on behalf of the Applicant and this
application has been executed as required by law.

Signed: David W. Kirtz

Taken, subscribed and sworn to before me the undersigned authority
in my said county, this 16th day of June, 19 77.

Notary Public Robert L. Hill

My Commission Expires: My Commission Expires Dec. 12, 1979

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING
1588 West North Temple
Salt Lake City, Utah 84116

MINING AND RECLAMATION PLAN

(Other forms may be used in lieu of MR 2, provided they contain the same information)

1. Name of Applicant or Company Consolidation Coal Company
2. Proposed type of operation Underground Coal Mine
3. (a) Prior Land Use(s) limited grazing
(b) Current Land Use(s) mining
(c) Possible or Prospective Future Land Use(s) limited grazing
4. What vegetation exists on the land proposed to be affected shrubs and grasses
(a) Types and Estimated Percent cover or density: wash vegetation and salt-brush shrub cover about 10% of the land.
5. What is the range pH of soil before mining? 7.7 - 8.8 pH
Name of Person or Agency and method of determining pH Colorado State University; Saturated Paste Method
6. Site elevation above sea level 5925 feet
7. In case of coal, oil shale, and bituminous sandstone:
Principal seam(s) and thickness(es) I seam is 14-16 feet thick.
8. Estimated duration of mining operations 20 years (approx. 1997).
9. Has overburden, waste or rejected materials been classified as acid or alkali producing? () Yes (XX) No
Does the above material being moved have any other characteristics affecting revegetation? no
10. Will any underground workings or aquifers be encountered? (XX) Yes () No
Describe Sandstone aquifer above coal is occasionally penetrated by the mining operation/is 25-1000 feet deep. No underground workings will be encountered.
Is there an active discharge of water from abandoned deep mines or crossing the land affected? () Yes (X) No If yes, describe the quality of water being discharged. Water is being produced in the Emery Mine; however, there is no natural discharge; rather the water is being pumped to a settling pond for treatment prior to discharge. A federal EPA permit has been obtained for this discharge (Permit #UT 0022616).

11. Describe specifically a detailed procedure for: See attached report.

- (a) The mining sequence
- (b) The procedure for constructing and maintaining access roads, to include a typical cross-section and a profile of the proposed road grades.
- (c) The procedure for site preparation including removing trees and brush.
- (d) The method for removing and stockpiling topsoil or disturbed materials.
- (e) The method for the placement or containment of all disturbed materials, to include the method for handling of all acid or alkali-producing and toxic material.
- (f) A procedure for final stabilization of disturbed materials.

GRADING AND REGRADING - see attached report.

Specifically describe:

- (a) Typical cross-section of regrading.
- (b) The method of spreading topsoil or upper horizon material on the regraded area and indicate the approximate thickness of the final surfacing material.
- (c) What type of soil treatment will be utilized.
- (d) The method of drainage control for the final regraded area.
- (e) Maximum grading slope.

TESTING - see attached report.

1. Describe method for testing stability of reclamation fill material.

Describe method for the testing of soil that is intended to support vegetation

2. Describe any soil treatment employed as an aid to revegetation

3. Describe surface preparation of areas intended to support vegetation:

REVEGETATION - see attached report.

1. Revegetation to be completed by:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Operator | <input type="checkbox"/> Hydroseeding |
| <input type="checkbox"/> Soil Conservation District | <input type="checkbox"/> Aerial Seeding |
| <input type="checkbox"/> Private Contractor | <input type="checkbox"/> Conventional or Rangeland Drilling |
| Name _____ | <input type="checkbox"/> Other (specify) _____ |
| <input type="checkbox"/> Other (specify) _____ | |

2. Will Mulch be used?

Type _____, Rate/Acre _____ lbs/acre

3. Revegetation Plan and Schedule -

Species	Rate/ Acre	Planting Location	Facing N-S-E-W	Season to be replanted

4. Will affected area be subject to livestock or wildlife grazing? Yes
 No Will vegetation protection be needed? _____

5. Will irrigation be used? Yes No Type _____

6. Describe maintenance procedures for revegetation if needed, until surety release is granted. _____

I, the undersigned Operator, hereby submit this to be my Reclamation and Mining Plan for the area shown on the attached map. I further understand that the operation will be conducted in accordance with the Mined Land Reclamation Act of 1975, and all rules and regulations currently in effect thereunder.

Signed David W. Kuntz Operator Date _____

Taken, subscribed and sworn to before me the undersigned authority in my said county, this 16th day of June, 19 77.

Notary Public Robin L. Hill

My Commission Expires: _____ My Commission Expires Dec. 12, 1979