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DIVISION OF OIL, GAS, AND MINING

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1588 West North Temple
Salt Lake City, Utah 84116
(801) 533-5771

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November 8, 1979

538608
REGISTERED - RETURN RECEIPT REQUESTED

Mr. Timothy O'Conner
Mining Engineer
Consolidation Coal Company
2 Inverness Drive East
Englewood, Colorado 80110

RE: Emery Deep Mine
Emery County, Utah
ACT/015/015

Dear Mr. O'Conner:

During a joint State-Federal inspection of the Emery Deep Mine, piping under the intake facility for the sediment pond on the north side of the creek was observed. The piping is apparently due to the porous nature of the sandy uncompacted material.

Failure of this material, as you know, will cause the pond to be in-operative. Therefore, the Division hereby directs Consol to immediately begin remedial action by, at a minimum, excavating the affected area, recompacting the material and providing a lined channel to convey runoff to the pond.

Failure to do the necessary action within ten working days from receipt of this letter will result in the issuance of a violation by the Division. If you have any questions, please feel free to call.

Sincerely,

K. MICHAEL THOMPSON
ENGINEERING GEOLOGIST

cc: Ms. Eileen Dougherty, O.S.M.
Mr. Ron Thompson, Consol, Emery UT

KMT/te