

0006



SCOTT M. MATHESON
Governor

GORDON E. HARMSTON
Executive Director,
NATURAL RESOURCES

CLEON B. FEIGHT
Director

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS, AND MINING
1588 West North Temple
Salt Lake City, Utah 84116
(801) 533-5771

OIL, GAS, AND MINING BOARD

CHARLES R. HENDERSON
Chairman

JOHN L. BELL
C. RAY JUVELIN
THADIS W. BOX
CONSTANCE K. LUNDBERG
EDWARD T. BECK
E. STEELE McINTYRE

May 7, 1979

#538687

REGISTERED - RETURN RECEIPT REQUESTED

Mr. Tim O'Conner
Staff Mining Engineer
Consolidation Coal Co.
2 Inverness Drive East
Englewood, Colorado 80110

RE: Emery Deep Mine
Violations of the Interim
Period Regulations.
ACT/015/015

Dear Mr. O'Conner:

Jim Smith and Mike Thompson of the Division performed an inspection of the Emery Deep Mine on May 2, 1979, with Ron Hughes and Bill Vaughn of Consol. Listed below are violations of the interim period regulations observed at the mine and compliance measures necessary to abate the violations.

1. The sign located at the mine entrance has peeled to the extent that the mine's name can no longer be read. The sign must be either repaired or replaced within thirty days of receipt of this letter.
2. The surface and groundwater monitoring programs are inadequate. Acceptable monitoring programs must be submitted for approval within 60 days of receipt of this letter; and, they must be initiated upon approval. The Division staff is available to assist you in this matter.

RECEIPT FOR CERTIFIED MAIL

**NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)**

SENT TO		TIM O'CONNOR	
STREET AND NO.		2 INVERNESS DR. EAST	
P.O., STATE AND ZIP CODE		ENGLEWOOD, CO. 80110	
POSTAGE		\$	
CONSULT POSTMASTER FOR FEES	CERTIFIED FEE		€
	SPECIAL DELIVERY		€
	RESTRICTED DELIVERY		€
	OPTIONAL SERVICES		
	RETURN RECEIPT SERVICE		€
	SHOW TO WHOM AND DATE DELIVERED		€
	SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY		€
	SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY		€
	SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY		€
TOTAL POSTAGE AND FEES		\$	
POSTMARK OR DATE		5/10/79	

PS Form 3811, Apr. 1977

PS Form 3811, Apr. 1977 RETURN RECEIPT REGISTERED INSURED AND CERTIFIED MAIL

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space reverse.

1. The following service is requested (check one).
 Show to whom and date delivered _____ €
 Show to whom, date, and address of delivery _____ €
 RESTRICTED DELIVERY Show to whom and date delivered _____ €
 RESTRICTED DELIVERY Show to whom, date, and address of delivery \$ _____ (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO: TIM O'CONNOR
 CONSOLIDATION COAL COMPANY
 2 INVERNESS DRIVE EAST
 ENGLEWOOD, COLORADO 80110

3. ARTICLE DESCRIPTION:
 REGISTERED NO. _____ CERTIFIED NO. 538687 INSURED NO. _____
 (Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE Addressee Authorized agent

4. DATE OF DELIVERY 5/10/79

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: _____ CLERK'S INITIALS _____

☆GPO: 1977-0-249-595

- STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)**
- If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
 - If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, date, detach and retain the receipt, and mail the article.
 - If you want a return receipt, write the certified-mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
 - If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
 - Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in Item 1 of Form 3811.
 - Save this receipt and present it if you make inquiry.

(City, State, and ZIP Code)

(Street or P.O. Box)

(Name of Sender)

STATE OF UTAH
 Department of Natural Resources
 Division of Oil and Gas Conservation
 1903 West North Temple
 Salt Lake City, Utah 84116

RETURN TO



SENDER INSTRUCTIONS
 Print your name, address, and ZIP CODE in the space below.
 • Complete items 1, 2, and 3 on the reverse.
 • Moistened gummed ends and attach to front of article if space permits. Otherwise affix to back of article.
 • Endorse article "Return Receipt Requested" adjacent to number.

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE: \$300



UNITED STATES POSTAL SERVICE
 OFFICIAL BUSINESS

IN YOUR COMMUNITY

Mr. Tim O'Conner
May 7, 1979
Page Two

3. Runoff from a stockpile area is presently allowed to flow down the access road that crosses Quitcho^opah Creek. As an interim measure, until the sediment ponds are completed, a swale or berm is required in order to divert the contaminated runoff to a bermed area. Mr. Hughes was informed of the problem. Compliance for this action is one (1) week from receipt of this letter.
4. Coal was observed pushed against the berm that protects Quitcho^opah Creek to the extent that the coal was higher than the berm. Time for abatement of this problem is one (1) week from receipt of this letter.

If these violations are not abated as required by the time schedules previously indicated, this matter will be referred to the Attorney General for commencement of administrative proceedings before the Board of Oil, Gas, and Mining. If you disagree that violations have not occurred, you may apply for a hearing before the Board.

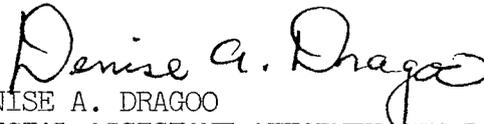
Some clean-up work is also needed. Junk was observed between Quitcho^opah Creek and the berm. The area used for salvage storage, according to Mr. Hughes, is presently being cleaned-up. When this is completed the area should be reclaimed. If the road is needed for access to the proposed strip mine it may be left open.

If you have any questions please feel free to call.

Sincerely,



K. MICHAEL THOMPSON
ENGINEERING GEOLOGIST



DENISE A. DRAGOO
SPECIAL ASSISTANT ATTORNEY GENERAL for
NATURAL RESOURCE AGENCIES

KMT/DAD/te

cc: Murray Smith, Office of Surface Mining, Denver
Ron Hughes, Emery Mine, P.O. Box 527, Emery, Utah 84522