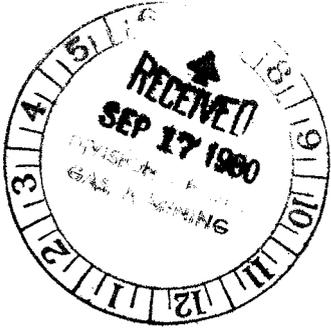


0007



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

To Lee  
file ACT/015/015  
JWS  
Send copy of  
Draft Guidelines  
Lee

September 15, 1980

Mr. Jim Smith  
State of Utah  
Department of Natural Resources  
Division of Oil, Gas, and Mining  
1588 West North Temple  
Salt Lake City, Utah 84116

Dear Mr. Smith:

Please find enclosed a copy of the Draft Permit application format for Consol's Emery Mine near Emery, Utah. This format was prepared according to Utah's Coal Mining and Reclamation Permanent Program, and is designed to comply with the repermitting requirements established therein.

In an effort to assure that the permit application is complete, I have tried to address all applicable requirements. Maps and plans will be developed from U. S. Geological Survey topographic maps and will be presented at a scale of 1:6000 and 1:24000.

I would appreciate a review of this information, and any comments on the adequacy and completeness. If you have any questions or require further information, please contact me at your earliest convenience.

Sincerely yours,

James C. Thompson  
Permit Coordinator

JCT/kdb

cc: G. Gleich  
R. Holbrook

**DRAFT**

FORMAT FOR EMERY MINE PERMANENT PROGRAM PERMIT APPLICATION

INTRODUCTION

Purpose

Brief discussion of the intent and purpose of the application.

Background

Discussion of the history of the mine, existing permits, productions, etc.

Format and Contents

Describe the major parts of the application and its contents.

Confidential Information

Identify any information which is intended to be kept confidential. This information should be presented under a separate cover.

References and Consultation

Identify company representative responsible for receiving questions concerning the contents of the application. Identify individuals who contributed to the application contents.

Verification

Provide verification, under oath, that the contents of the application are true and correct.

## UMC 782 - LEGAL, FINANCIAL, AND COMPLIANCE INFORMATION

### 782.13 - Identification of Interests

Name, address and phone number of the applicant, the operator, and the resident agent

Names and addresses of the affected surface owners and coal owners; or lease holders; the real estate purchases; officers, partners, or director of the applicant; principle shareholder; principals, officers, and resident agent of any corporate owner; and the owners of the surface and subsurface of contiguous tracts

Statement of business entity (corporation, partnership, etc.), names and addresses of officers, directors, etc., names and addresses of principal shareholders, names under which applicant operated a surface mine in the last 5 years

Statement of current or previous permits held after 1970 and any pending applications. List by permit or application number and identify the regulatory authority.

Statement of mine name and MSHA identification number

Statement of lands, interests in lands, options or pending bids on contiguous lands held or made by the applicant

### 782.14 - Compliance Information

Statement of permit suspensions, bond forfeitures in the last 5 years and current status of each

Listing of notices of violations for surface mining received during the 3 year period before the permit application and current status of each.

### 782.15 - Right of Entry and Operation Information

Description of documents that give the applicant legal right to enter and mine an area. Indicate type and date of execution, identify specific lands, explain legal rights

### 782.15 - Cases of Associated Surface Coal Mining

Written consent of surface owner

A copy of the document that gives the right to enter and surface mine the coal, or

A summary of an applicable state law that gives the legal right to enter and mine by surface methods

782.16 - Relationship to Areas Designated Unsuitable for Mining

Statement of available information of whether the permit area is designated or under study for designation as unsuitable for mining

Statement of exemption (if applicable)

Waiver to surface mine or locate surface facilities within 300' of an occupied dwelling

782.17 - Permit Term Information

Starting and ending dates of each phase of the operation, and the number of acres of surface land to be affected and indicate the horizontal and vertical extent of proposed underground workings for each phase of mining and over the life of the permit

782.18 - Personal Injury and Property Damage Insurance Information

Personal injury and property damage insurance information

782.19 - Identification of other Licenses and Permits

Identification of other permits required to conduct underground mining, including type of permit, name and address of issuing agency, identification number of approved permit or a statement of whether a decision has been made on the application for such permit

782.20 - Identification of location of public office for filing of Application

Identification of the location of the public office where the permit application will be available for public inspection

782.21 - Newspaper advertisement and proof of Publication

Newspaper advertisement proof of publication

## UMC 783 - IDENTIFICATION OF RESOURCES

### 783.12 - Environmental Resources - General

Identify and describe the size, sequence, and timing of the sub-areas of the mine plan area where future permits will be sought

Identify the nature of Cultural and Historic resources listed on the Register of Historic Places and known archeological sites within and adjacent to the mine plan area.

### 783.13 - Description of Hydrology and Geology - General

Description of the hydrology, geology, water quality, and quantity within the proposed mine plan area, adjacent areas, and the general area

### 783.14 - Geology Description

Description down to and including the first aquifers to be affected below the lowest coal seam to be mined.

Geology of the strata of overburden to be removed, including the stratum immediately beneath the coal to be mined.

Include the analysis of test borings, etc.

Location of areas where subsurface water will be exposed at the face-up area.

Logs of drill holes

Chemical analysis of each stratum of overburden to be removed including the stratum immediately beneath the lowest coal seam to be mined.

Geology of the surface lands within the mine plan area which are underlain by coal to be extracted, including - the geology of the coal seam; location of subsurface water; the depth, classification, and geologic structure of the overburden; pyritic content and potential alkalinity of the stratum above and below the coal to be mined; pyrite, marcasite, and sulfur content of the coal seam

### 783.15 - Ground Water Information

Depth below the surface and the horizontal extent of the water table and aquifers

Lithology and thickness of aquifers

Water uses

Quality of subsurface water, if encountered

Aquifer recharge, storage, and discharge (if required)

783.16 - Surface Water Information

Identify watersheds, streams, lakes, ponds, springs, and discuss the seasonal variations in quality and quantity within mine plan area

Describe the minimum, maximum, and mean discharge conditions, including low flows and peak discharges.

Water quality data should identify the characteristics of surface waters including: TDS, TSS, pH, Acidity, total and dissolved iron, and total manganese.

783.17 - Alternative Water Supply Information

Identify the extent to which mining activities may result in the contamination, diminution, or interruption of an underground source of water in the proposed mine plan area or adjacent area

If contamination, diminution, or interruption may result, then identify alternative sources of water supply.

783.18 - Identify Climatological Information

Average seasonal precipitation, winds and seasonal temperature ranges.

783.19 - Vegetation Information for area affected by surface Operations and Facilities

Map of existing vegetation types

Describe plant communities

Include information adequate to predict the potential for re-establishing vegetation.

Include a map or aerial photograph of the permit area and adjacent lands which shows the vegetation that is important habitat to fish and wildlife.

783.20 - Fish and Wildlife Resources Information

A study of fish and wildlife resources within proposed mine plan area where surface operations will be conducted and the portions of adjacent areas where effects on fish and wildlife could occur.

738.21 - Soil Resources Information

Soil survey information on portions or the permit area to be affected by surface operations or facilities including a map of soil types, soil identification, soil description, and present and potential productivity.

If overburden material is intended to be used as a supplement or substitute for topsoil, then provide the results of analyses trials and tests pursuant to UMC 817.22.

783.27 - Prime Farmland Investigation

783.22 - Land Use Information

Discuss condition, capability, and productivity of the land which will be affected by surface operations and facilities in permit area, including: Land use map and narrative; and narrative of land capability and productivity considering soils, foundation, topography, vegetative cover, and hydrology. Describe productivity in basic units of yield for food, fiber, forage, or wood products.

If land was previously mined, then describe the type of mining, coal seams removed, extent of coal removed, dates of mining, and the uses of the land preceding mining.

Identify land use classifications under local law, if any, in mine plan area and adjacent areas.

## UMC 784 - RECLAMATION AND OPERATION PLAN

### 784.11 - General Discussion of Mining and Operation Plan

Description of operation over life of mine including the type and method mining procedures; engineering techniques; annual and total production by tonnage; and equipment.

Narrative of construction, modification, use, maintenance, and removal of dams and embankments; overburden and topsoil handling and storage areas; coal removal, hauling, storage, cleaning, and transportation areas and structures; spoils and coal processing waste areas; mine facilities; and water pollution control facilities

### 784.12 - Existing Structures

Describe each existing structure, including: the location; plans or photographs or sketches of structure which describe its current condition; dates of construction; and a showing, including relevant monitoring data that the structures comply with performance standards in Subchapter K.

Compliance Plan for existing structures proposed to be modified, including: the design specifications; construction schedules; provisions for monitoring; and show that risk of harm to environment, public health and safety will be minimized during the period of modification or reconstruction.

### 784.13 - Reclamation Plan

Reclamation plan description for lands in proposed permit area showing how compliance per Subchapter K will be achieved. Show a detailed timetable for reclamation; estimated costs; and a plan for backfilling, soil stabilization, compacting and grading with contour maps or cross-sections to show anticipated final surface configuration of permit area.

Plan for removal, storage, and redistribution of soil resources

Plan for revegetation including; scheduling; species and seeding rates; methods of planting; mulching; irrigation; measures for determining success of revegetation; soil testing plans.

Description of measures used to maximize the use and conservation of coal resources required by UMC 817.59.

Description of measures used to ensure that all debris, acid-forming and toxic-forming; and materials constituting a fire hazard are disposed of per UMC 817.89 and 817.103.

Description, including cross sections and maps, of the measures used to seal mine openings, case or manage exploration holes, or other openings within the proposed permit area per UMC 818.13 to 817.15.

Steps taken to comply with the requirements of the Clean Air Act, the Clean Water Act, and other applicable air and water quality laws and regulations.

#### 784.14 - Protection of the Hydrologic Balance

Description of the measures taken to protect the quality of surface and ground water; the rights of present users to surface and ground water; the quantity of surface and ground water.

Plan for: controlling drainage into, through, and out of the proposed mine plan area; treatment of water; and the collection, recording, and reporting of ground and surface water quality and quantity data, according to UMC 817.52.

Description of probable hydrologic consequences of the proposed mining activities

Detailed description with appropriate drawings for permanent entry seals and down-slope barriers designed to ensure stability under anticipated hydraulic heads developed while promoting mine inundation after mine closure.

#### 784.15 - Postmining Land Use

Detailed description of proposed use, following reclamation, of the lands to be affected within the proposed permit area by surface operations and facilities

Discuss utility and capacity of the land to support a variety of uses, and the relationship of the proposed use to existing land use policies and plans.

Explain how the postmining land use will be achieved.

If alternative uses are proposed, then provide information from 817.133.

Discuss the consideration given to making the proposed underground mining activities consistent with surface water plans and applicable State and local land use plans and programs.

Provide land owner comments or state and local government agency comments concerning postmining land management.

#### 784.16 - Ponds, impoundments, banks, dams, and embankments

General plan for each proposed sediment pond, water impoundment, coal processing waste bank, dam, or embankment within proposed mine plan area

784.18 - Relocation or use of Public Roads

Describe how the interests of the public and landowners are protected if mining activities are conducted within 100 feet of a right-of-way of any public road (except where mine access or haul roads join that right-of-way) or where public roads are relocated.

784.19 - Underground Development Waste

Description, including appropriate maps and cross-sections, of the proposed disposal methods, and sites for placing under-ground development waste.

784.20 - Subsidence control plan

Provide a survey of permit area to identify structures or renewable resource lands which would be damaged if subsidence occurred.

If it is determined that subsidence if it occurred would damage existing structures or renewable resource lands then describe: The mining method and other measures to be taken which may affect subsidence including the technique of coal removal, the extent to which planned and controlled subsidence is intended; measures to be taken to prevent subsidence from damaging surface resources or structures; monitoring for subsidence; litigation of the effects of damage.

784.21 - Fish and Wildlife Plan

Statement of how the plan will minimize disturbances and adverse impacts on fish and wildlife and how enhancement of these resources will be achieved.

If enhancement of fish and wildlife cannot be achieved, then state why

Explain how impact control measures and management techniques will be utilized, and how monitoring will be employed to protect (1) threatened or endangered species; (2) species protected by state or federal law such as eagles, migratory birds, or other such animals; and (3) habitats of unusually high value for fish and wildlife

784.22 - Diversions

Description of stream channel diversions, including maps and cross-sections, to show compliance with UMC 817.43 - 817.44.

784.24 - Transportation Facilities

Specifications for road width, gradient, surface, cuts, fills, culverts, bridges, drainage

General description of roads, conveyor systems or rail systems to be used within the proposed mine plan area.

784.25 - Return of Coal Processing Wastes to Abandoned Underground Workings

Design description of waste disposal facility

Source and quality of the waste to be stored, percent of mine void to be filled, surface area to be supported by fill, anticipated surface effects

Description of permanent monitoring wells

784.26 - Air Pollution Control Plan

Description of air quality monitoring program, if required by the Division.

Plan for fugitive dust control practices, as required by UMC 817.95

UMC 800 and 805 - PERFORMANCE BOND

Identification of the area, acreage, and permit term for which a performance bond will be filed.

Identification of any incremental bond and a schedule for bonding.

Describe the estimated costs of reclamation pursuant to UMC 784.13(b)(2).

(The amount of the reclamation performance bond will be developed according to guidelines established by the Division during the permit application review period.)

## ENVIRONMENTAL RESOURCES

### MAPS, CROSS SECTIONS, PLANS

#### 783.24 - Maps: General Requirements

##### Land Ownership Map

Surface and subsurface ownership within the permit area and contiguous to the permit area.

Identify areas which Consol has the legal right to enter and begin underground mining operations.

##### Mine Plan Area Map

Identify the boundaries of all areas proposed to be affected over total life of mine including timing of development and areas where future permits will be sought.

##### Land Use

Location of all buildings in and within 1,000 feet of the proposed permit area and their current use.

Location of surface and subsurface man-made features passing through or over the proposed permit area.

Public roads in and within 100 feet of the proposed permit area.

Land use classifications for all lands.

Public parks, public or private cemeteries or Indian burial grounds located in or within 100 feet of the proposed permit area.

Any lands within proposed mine plan area or adjacent area which is within the boundaries of any units of the National system of Trails or the Wild and scenic Rivers System, including rivers under study.

##### Cultural Resources

Location of any cultural or historic resources listed or eligible for listing in the National Register of Historic Places and known archeological sites within the mine plan or adjacent areas.

#### 783.25 - Cross Sections, Maps, and Plans

##### Mine Plan Maps

Location and extent of known workings of active, inactive, or abandoned underground mines; show mine openings to the surface; in mine plan area.

Location and extent of previously surface mined areas in mine plan area.

Location and dimensions of existing areas of spoil, waste, coal development waste, and non-coal development waste, disposal, dams, embankments, other impoundments, and water treatment and air pollution control facilities within proposed permit area.

Location and depth of oil and gas wells in permit area.

Water wells in mine plan area and adjacent areas.

#### Water Resources Map

Location and extent of surface water resources such as streams, ponds, lakes, springs, natural or constructed drains, and irrigation ditches in the proposed mine plan area and adjacent areas.

Identify monitoring station locations, and give elevation.

Show locations of water supply intakes for current users.

#### Geology - Hydrology

Locations of test borings and core samplings.

Coal croplines, and strike and dip of coal to be mined in mine plan area.

Location and extent of subsurface water and where subsurface water will be exposed at face-up area.

#### Geology Cross Section

Nature, depth, and thickness of coal seam to be mined, each stratum of overburden, stratum immediately beneath the coal.

Vertical distribution of aquifers, show seasonal differences of head in different aquifers.

#### Premining Slopes

Sufficient slope measurements to represent the existing land surface configuration of the area affected by surface facilities and operations.

1. Angle of inclination along prevailing slope extending 100 linear feet above or below or beyond the coal outcrop or the area to be disturbed.
2. In areas which have been previously mined, the measurements should extend at least 100 feet beyond the limits of mining disturbance.

Soil Resources Map

Delineate different soil types.

Vegetation Map or Aerial Photograph

Delineate existing vegetation types.

Location and boundaries of proposed reference areas for determining revegetation success.

## RECLAMATION AND OPERATION PLAN

### MAPS AND PLANS

#### 784.23 - Operation Plan: Maps and Plans

##### Operations Map for Mine Plan Area

Locations of all existing facilities.

Show all underground mining activities and lands to be affected throughout life of mine according to sequence of mining and reclamation.

Show proposed facilities.

##### Permit Area Operations Map

Buildings, utility corridors, and facilities to be used.

Coal storage, cleaning and loading areas.

Topsoil, spoil, coal preparation waste, underground development waste, and non-coal waste storage area.

Water diversions, collection, conveyance, treatment, storage and discharge facilities to be used.

Any other waste disposal facilities.

Facilities used to protect and enhance fish and wildlife related environmental values.

Explosive storage and handling facilities.

Sedimentation ponds, permanent water impoundments, coal processing waste banks, and coal processing waste dams and embankments.

Transportation facilities.

##### Postmining Topography

Show profile and cross sections of anticipated final configuration of land.

Show location of each facility that will remain in the permit area as a permanent feature.

##### Monitoring Locations Map

Show each water and subsidence monitoring points.

Show monitoring sites for wildlife.

Show monitoring sites for air quality.

#### Bonding Map

Show area of land for which a performance bond will be posted.

#### Transportation Facilities

Detailed designs to show width, gradient, surface, cuts and fills, culverts, bridges, and drainage ditches. Include cross sections where appropriate.

Sedimentation ponds, ditches, diversions, and other ponds.

Detailed designs and cross sections of each structure showing compliance with MSHA regulations, where appropriate, or the performance standards of subchapter K.