

May 31, 1983

Mr. Lynn Kunzler
Reclamation Biologist
Division of Oil, Gas, and Mining
Department of Natural Resources and Energy
4241 State Office Building
Capitol Complex
Salt Lake City, Utah 84114

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OIL, GAS & MINING

Dear Lynn:

Please find enclosed five copies of the draft ACR for the Emery Mine. We have attempted to make a clear cut between the mining operation and the preparation facility when reviewing the mine plan. To ensure that nothing was left out of this document for areas where there may be some overlap, I have listed below portions of the operation that were previously approved with the preparation facility or in the miscellaneous approvals that we reviewed while in your office. These should be carefully checked to ensure that we did not inadvertently leave some portion of the plan unchecked. If there are problems, we will of course revise the ACR very quickly.

All roads in the area constructed by the operator have been approved with the exception of roads in the mine yard area. This includes approval of construction, reclamation, and associated surface water control structures. We do have questions on the reclamation of the sediment pond road, and use of the county road.

Issues concerning legal compliance (Part 782 of the regulations) were all covered in the preparation plant ACR with the exception of surface and coal ownership in the mine plan area. We have only asked questions in those areas.

The stockpile area located outside of the mine yard has been approved along with associated surface water control structures.

The bridge which crosses Christiansen Wash in the mine yard area has been approved.

The diversion ditch which runs adjacent to the disposal site has been approved.

Subsidence control for the disposal structures has been approved.

As per your request, we have added a section on socioeconomics. If we will be required to complete a technical analysis in this area, we should talk later about amending the contract. With respect to cultural resources we did not review that information in any detail as it was approved for the entire mine plan in the preparation plant TEA. However, in the subsidence section I have added one question which does relate to the protection of cultural resources. It appears that

their survey did not cover the entire permit area. As such, I am not certain whether or not there are any structures which should be protected from the effects of subsidence. This is something that can be stipulated if it is a valid concern on my part.

The other area which may be of concern to your staff is the AVF determination. We have essentially left that write-up the same from the original ACR. Given that the information that we have requested is minimal, I don't believe that it should present any problem to Consol to reply, and then our analysis will be much more clear cut. I hesitate to change much of the write-up, because although the areas that we saw were certainly not AVF's, we did not see other areas addressed in the analysis, and the mine plan should leave no doubt as to the nature of the areas as relates to AVF issues. Also we talked about, there isn't much out there and what there is should be given careful consideration.

If you have any questions on any of the ACR, please do not hesitate to call myself or John Rice. I hope that everything goes smoothly during your review so that the ACR can be finalized as quickly as possible and sent to Consol.

Sincerely,



Deborah L. Richardson
Mining Engineer

cc: John Rice, Bio/West, Inc.