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STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

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December 27, 1983

Mr. John Rice
Bio/West, Inc.
P.O. Box 3226
Logan, Utah 84321

RE: Draft Technical Analysis
Consolidation Coal Company
Emery Deep Mine
ACT/015/015, Folder No. 2
Emery County, Utah

Dear John:

By way of this letter, the Division is summarizing the major points of the meeting held on December 23, 1983, with Dr. Dianne Neilson, Ms. Mary Boucek, Ms. Sue Linner and Mr. Lynn Kunzler of the Division and Mr. John Rice of Bio/West at the Division's office, to discuss some major concerns regarding the Draft Technical Analysis for the Emery Deep Mine (prepared by Bio/West, Inc.)

The Division's concerns were apparently centered around three facts. First, the format that was used, secondly, Consol (to date) has not supplied all the necessary technical data that was requested, and finally the Preparation Plant had not been incorporated into the Technical Analysis.

With regards to the format that was used, Bio/West had followed the "Old" OSM format. This had been appended to the contract as the guideline to follow. From the Technical Analysis it was impossible to tell if all regulations had been analyzed.

Although it was pointed out that those regulations that had apparently been missed were either not applicable to the Emery Mine or were directly related to the technical data (i.e., hydrology) still being submitted, it was agreed upon that the Technical Analysis document must include a discussion of all 817.1 et seq. regulations. Those that were non-applicable would have a sentence or two as to why they did not apply.

Also missing from the Draft Technical Analysis was a Draft Finding document, a Draft Cumulative Hydrologic Impact Assessment and an Introduction section of which cannot be completed until the groundwater and AVF issues are completed.

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With regards to the lacking data, recent phone calls with Mr. Richard Holbrook of Consol indicated that this data should be supplied by the end of 1983. (Note: Today, December 27, 1983, Debbie Richardson indicated that she had received the hydrology data from Consol.)

A misunderstanding or lack of communication was apparently the reason for omitting the Preparation Plant. This had been approved as a major modification on May 27, 1982. At the ACR stage Bio/West had been instructed that there was no need to review the Preparation Plant sections for apparent completeness. This led to the misunderstanding of not including the Preparation Plant sections in the Draft Technical Analysis.

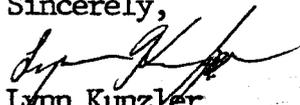
To remedy this problem, it was decided upon to append the Technical Analysis for the preparation plant to the Draft Technical analysis for the mine. Section UMC 817.181 (support facilities, etc) would contain a discussion on the preparation plant and discuss how the stipulations had been addressed. The introduction section should also include a paragraph regarding how the preparation plant was handled and a disclaimer that the Impacts (disturbances) discussed in the Technical analysis are inclusive of the Mine and do not include the Impacts or disturbances of the preparation plant facility. The Division will forward a copy of the Technical Analysis and supporting Documentation regarding the preparation plant to Bio/West within the week.

The Divisions' technical staff also identified several technical problems relating to various disciplines of the review. In general, many of the problems were a lack of reference to other agencies review comments and sign-offs. DOGM will also copy these documents to Bio/West for citation in the Technical Analysis (they should also be appended to the Technical Analysis)

Bio/West must make these changes to the Draft Technical Analysis and submit a revised Draft to the Division on or before January 20, 1984. This draft should have all sections completed. Also, those deficiencies that have been pointed out to date will be sent to Consol at this time so they may prepare a response in a timely manner.

John should you have any questions or disagree with this summary, please call as soon as possible.

Sincerely,


Lynn Kinzler
Reclamation Biologist

LK:re

cc: Lou Hamm, OSM Denver
Debbie Richardson, Richardson Associates
Dianne Neilson, DOGM
Sue Linner, DOGM
Jim Smith, DOGM