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STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

4241 State Office Building • Salt Lake City, UT 84114 • 801-533-5771

Scott M. Matheson, Governor
Temple A. Reynolds, Executive Director
Dr. G. A. (Jim) Shirazi, Division Director

September 20, 1983

P396 996 884
CERTIFIED RETURN RECEIPT REQUESTED

Mr. Richard M. Holbrook, Supervisor
Environmental Quality Control
Consolidation Coal Company
2 Inverness Drive East
Englewood, Colorado 80112

RE: Time Extension for Apparent
Completeness Review Response
Emery Deep Mine
ACT/015/015
Folder Nos. 2 and 6
Emery County, Utah

Dear Mr. Holbrook:

As we discussed in our meeting of September 8, 1983 and outlined in your letter of September 13, 1983, the Division of Oil, Gas and Mining will grant Consolidation Coal Company a seven (7) week extension of time to respond to the Division's Apparent Completeness Review of the Emery Deep Mine permanent program permit application. The new deadline for submitting the required information is no later than October 7, 1983.

Failure to fully and adequately respond to the Division's request for additional information by the above deadline will result in suspension of the Emery Deep Mine interim permit and cessation of all mining activity until such time as a permanent program permit is issued. Also, a revised priority and schedule for further review of Consolidation Coal Company's permit application will be established at such time as the required information is received by the Division.

The Division staff will be more than willing to meet with your staff, either in person or via telephone, to discuss Consol's draft responses and facilitate a complete, accurate and timely submittal. Again, I must emphasize the importance of meeting the above deadline in order to reach our overall objective of a final permit by March 1984. If you have any questions, please don't hesitate to call.

Sincerely,

JAMES W. SMITH, JR.
COORDINATOR OF MINED
LAND DEVELOPMENT

JWS/btb

Enclosure

cc: A. Klein, OSM, Denver
R. Hagen, OSM, Albuquerque
R. Hughes, Consolidation Coal Company
B. Roberts, Assistant Attorney General
R. Daniels, DOGM
L. Kunzler, DOGM
R. Summers, DOGM

File
ACT/015/015
Folder No. 2, 6
Copy to Lynn,
Rick, Barbara
Ron D. &
OSM (D&

CONSOL
Consolidation Coal Company
Western Region
2 Inverness Drive East
Englewood, Colorado 80112
(303) 770-1600

September 13, 1983

JIM
SEP 19 1983

State of Utah
Division of Oil, Gas & Mining
4241 State Office Building
Salt Lake City, UT 84114

ATTN: Jim Smith

RECEIVED
SEP 13 1983
DIVISION OF
OIL, GAS & MINING

RE: Apparent Completeness Review
Emery Deep Mine
ACT/015/015

Dear Mr. Smith:

As we discussed in our meeting on September 8, Consol desires an extension of time to submit our responses to the Apparent Completeness Review. There are a variety of reasons causing the delay in our response. The Emery Mine is presently idle due to poor market conditions. Because of that, most of Consol's permitting efforts have been directed toward responding to North Dakota PSC Technical Review Comments on the Glenharold Mine permanent regulatory program permit application which is a critical element in the continued production of that 3,000,000 ton per year mine. Additionally, there were a number of comments requesting information of uncertain availability. Consol has had the Conoco Research department trying to determine the availability of much of the requested information as well as developing responses to some of the requests.

The ramifications of missing the August 19 deadline were not clear to Consol management. The June 13 letter from Dr. Shirazi and Mr. Klein was mailed to Ron Hughes at the regional office address; Ron Hughes has been employed at the Emery Mine since August 1981. In the course of routing the letter to Ron Hughes at the Mine, the letter was filed without the proper management personnel having been copied or advised of its import. Had we been fully aware of the contents of the June 13 letter, we certainly would have responded to the letter and the ACR in a much more timely and direct manner.

RE: Apparent Completeness Review
Emery Deep Mine
ACT/015/015

I want to thank you for the candid, concise and unequivocal assessment of the present permitting situation and future direction. While we have reservations concerning your procedural authority, Consol is committed and shall make every effort to meet the revised permit schedule discussed in our meeting, a copy of which, I understand, is forthcoming to Consol.

There are a number of review comments which will require some further explanation. Consol intends to prepare draft preliminary responses to all comments and then discuss them, with your staff, either by telephone or in a meeting, to ensure that the submitted responses will be complete and accurate.

If you have any questions or comments or desire additional information, please contact me at your earliest convenience.

Sincerely,

Richard M. Holbrook
Supervisor -
Environmental Quality Control

RMH/bap

cc: J. Higgins
R. Hughes
S. Jaccaud