



UC39  
STATE OF UTAH  
NATURAL RESOURCES  
Oil, Gas & Mining

ACT/015/015  
Norman H. Bangerter, Governor  
Dee C. Hansen, Executive Director  
Dianne R. Nielson, Ph.D., Division Director

355 W. North Temple • 3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340

September 9, 1987

Mr. Robert Hagen, Director  
Office of Surface Mining  
Albuquerque Field Office  
Suite 310, Silver Square  
625 Silver Avenue, SW  
Albuquerque, New Mexico 87102

  
Dear Mr. Hagen:

Re: Consolidation Coal Company, Emery Deep Mine, Ten Day Notice  
X87-02-006-008-2, ACT/015/015, Emery County, Utah

The above referenced two-part Ten Day Notice (TDN) was issued as a result of a joint inspection conducted August 18, 1987. No Notice of Violation (NOV) resulting from this TDN has been issued by Utah. Joe Funk was verbally apprised of this September 3, 1987, by Lowell Braxton.

TDN X87-02-006-008, 1 of 2, was issued for failure "to post and maintain perimeter markers clearly - mine yard area with possible other area." A site inspection performed by Holland Shepherd on September 2, 1987, verified that Consolidation has installed freshly painted perimeter markers in all areas that Mr. Funk had questioned during the above referenced joint inspection. The perimeter markers were placed to demarcate disturbed from undisturbed areas within the bonded area. Based upon the actions taken by Consolidation, no NOV will be issued for this portion of the TDN.

TDN X87-02-006-008, 2 of 2, was issued for failure "to comply with terms and conditions of the permit (not constructing a dike properly) - mine yards dike serving as a siltation structure." At the time of the inspection the dike was functioning properly, no environmental harm had resulted from the existing configuration of the dike, and a history of failure has not been established. Consolidation Coal has constructed the dike in accordance with the approved Mining and Reclamation Plan subsequent to the issuance of

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the TDN. The Division will verify the adequacy of this construction in a future inspection. Based upon Consolidation's construction activities, no NOV will be issued as a function of this portion of this TDN.

Best regards,



Dianne R. Nielson  
Director

LPB:jvb  
cc: K. May  
L. Braxton  
S. Linner  
H. Shepherd  
0218R-57