

Consolidation Coal Company
Emery Mine
P. O. Box 527
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MAR 17 1989

Mr. Lynn Kunzler
Mineral Resource Development and
Reclamation Program
Utah Division of Oil, Gas & Mining
355 W. North Temple
3 Triad Center - Suite 350
Salt Lake City, Utah 84180-1203

DIVISION OF
OIL, GAS & MINING

March 15, 1989

RE: Mulching Requirement Variance, Permit ACT 015/015

Dear Lynn,

Pursuant to our telephone conversation on March 14, 1989, please consider this request for exemption from the mulching requirement for our recently constructed pond 6 and borehole.

As we discussed, one of the main purposes of mulch is to prevent erosion. We have shown that unvegetated areas around our mine site do not erode to any great degree. This is due to our soil forming a crust after it is moistened. This crust is stable, and, due to the lack of rainfall in this area, erosion in disturbed areas has not been a problem.

The other main goal in mulching is moisture retention. We propose to leave the ground pitted through use of a disk, providing moisture traps in the depressions. You mentioned the test plots north of the mine site as an example of the success of pitting, and our own experience confirms that vegetation has the best chance of becoming established in these depressions. We feel that disking is a viable alternative to mulching in this instance.

Please feel free to contact me if you have any questions.

Respectfully,



Christopher M. Jones, P.E.
Project Engineer