



Norman H. Bangertter  
Governor  
Dee C. Hansen  
Executive Director  
Dianne R. Nielson, Ph.D.  
Division Director

# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203  
801-538-5340

March 28, 1989

TO: File *SCL*

FROM: Susan Linner, Reclamation Biologist/Permit Supervisor

RE: Mid-Permit Term Review Stipulation Response, Consolidation Coal Company, Emery Deep Mine, ACT/015/015, Folder #3, Emery County, Utah

## SYNOPSIS:

On December 28, 1988 the Division approved the Mid-Permit Term Review for the Emery Deep Mine with four stipulations. On March 1, 1989 Consolidation Coal Company (CCC) responded to these conditions. This memo analyzes the response to Stipulation UMC 788.14-(1) - SCL.

## SUMMARY OF REVIEW:

This stipulation required the operator to submit a schedule for resubmittal of the MRP, which would "ensure review and substantial approval by the Division prior to September 9, 1990."

The operator has submitted a schedule which outlines a time frame for internal processing of a reorganized MRP. There is no provision for Division review until the final product is submitted in September of 1990.

## RECOMMENDATION:

Under rule UMC 788.14, the operator is not required to submit application for permit renewal before 120 days prior to permit expiration. This stipulation was written to encourage earlier submittal due to the major reorganization of the MRP required and the amount of new material that will need to be submitted before the permit can be renewed. Failure of CCC to interact with the Division prior to September 1990 will most likely lead to the inability of the Division to renew the permit upon expiration in January of 1991.

The Division will consider that Stipulation UMC 788.14-(1) - SCL has been adequately addressed. However, it is strongly urged that CCC meet with the Division and supply draft resubmittals for review and comment prior to formal submittal in September of 1990, to ensure that permit renewal can be achieved on schedule.

BT45/200