State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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May 10, 1989

Mr. Chris Jones
Consolidation Coal Company
P. O. Box 527
Emery, Utah 84522

Dear Mr. Jones:

RE: Ten-Day Notice Response, Consolidation Coal Company, Emery Deep Mine, ACT/015/015, Folder #2, Emery County, Utah

A Federal Inspection of your facilities has resulted in issuance of a Ten-Day Notice, X-89-02-107-3 TV3, on April 26, 1989. Part 1 of this notice addresses pump borehole 4B3 facilities and was issued for failure to pass all disturbed drainage from the disturbed area through a sedimentation pond. The specific facilities in question are the outslope of the borehole pad, the pipeline corridor, and the topsoil stockpiles above pond 006.

The Division granted conditional final approval of these facilities on January 23, 1989 with a stipulation requiring an as-built drawing of pond 006 (see Stipulation 817.42 - 1 - MMD) identifying the location and design specifications of any alternative sediment control measures implemented on site, to be submitted upon completion of construction. This information has not been submitted to date. Recent site inspections by Division personnel have shown construction to be essentially complete. Therefore Consolidation Coal Company must submit the required as-built drawing, including alternative sediment control information demonstrating compliance with the requirements of UMC 817.42 by June 12, 1989.

Part 3 of the TDN notice was written for failure to certify haul roads. This includes the road from the approximate location of the office to the coal stockpile at the entrance to the mine, and, the road from the coal processing area to the coal stockpile located on the south and west side of Quitchupah Creek.

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The Division has reviewed the Mining and Reclamation Plan and found that this information is indeed currently lacking in the plan. Although the roads are shown on some of the drawings in the plan, they are not delineated or specified as Class I haul roads on the drawings or within the text of the plan. Additionally, no certification statement for the design and construction of the Class I haul roads could be found within the plan.

Consolidation Coal Company shall be required to modify their existing plan by:

1. Providing a certification statement in accordance with the requirements of UMC 817.150(d). The certification statement shall indicate the date of completion of the haul road facilities and a determination that the roads were built in compliance with the regulations and generally accepted engineering practices for the intended function and use of the haul roads.

2. Providing certified supporting maps and plans as required under UMC 784.24 and 817.150-.156 for certification as to the design and construction of the haul roads.

At a minimum, design information shall provide a drawing delineating the location and extent of the haul roads within the permit area. The drawing shall include sufficient information to determine the alignment and the grade of the haul road. Additionally, information regrading the drainage control, surfacing, design, maintenance and other details relevant to the haul roads shall be provided. Please refer to the regulations regarding Class I Haul Roads in response to these requirements.

The operator shall provide the above information by June 12, 1989.

Sincerely,

Susan C. Linner

Susan C. Linner
Reclamation Biologist/
Permit Supervisor

cc: R. Harden
M. DeWeese
L. Kunzler
BT98/25-26