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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

February 6, 1992

Mr. Kevin L. Cheeks
Consolidation Coal Company
12755 Olive Blvd.
St. Louis, Missouri 63141

Dear Mr. Cheeks:

Re: Response to December 17, 1991 Inspection Report, Consolidation Coal Company, Emery Deep Mine, ACT/015/015-92A, Folder #3, Emery County, Utah

Thank you for responding to the request for information made in our December 17, 1991 inspection report. One item that remains to be addressed is the request for a signed reclamation agreement. Enclosed you will find a blank Reclamation Agreement Form. You should complete the form and return it to the Division as soon as possible. Having this completed Reclamation Agreement will aid us in processing your request for changing surety companies and ultimately replacing your bond with one from a different surety.

A technical review memo by Priscilla Burton has been enclosed which discusses other items that may still need to be addressed. Please review it and respond accordingly,

Also, enclosed please find your copy of the signed Emery Deep mining permit. We have located our copy and are returning this one for your records. Thank you for your cooperation in this regard.

If you have any questions, please call.

Sincerely,

A handwritten signature in black ink that reads "Daron R. Haddock".

Daron R. Haddock
Permit Supervisor

Enclosures

cc: R. Harden
P. Burton
EMERDEEP.RA



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January 27, 1992

TO: Daron Haddock, Permit Supervisor

FROM: Priscilla Burton, Soils Reclamation Specialist 

RE: Revision of Plates II-1 and IV-10. Emery Deep Mine.
Consolidation Coal Co. ACT/015/015-92A. Folder #2.
Emery County. Utah.

SUMMARY:

The complete inspection report of 12/17/91, requested that Consol submit updated Plates II-1 and IV-10. The plates were submitted to the Division on January 16, 1992. Also submitted was a signed copy of the Mining and Reclamation Permit and a copy of a correspondence from Mr. Kevin Cheeks of Consolidation Coal to Mr. Burnell Cordner, Director of the Division of Air Quality.

ANALYSIS:

- 521.160. Maps and Cross Sections of the Proposed Features for the Proposed Permit Area. These maps and cross sections will clearly show:
- 521.165. Each topsoil, spoil, coal preparation waste, underground development waste, and noncoal waste storage area. The map will be prepared and certified according to R645-301-512;
- 512.100. Cross Sections and Maps. Certain cross sections and maps required to be included in a permit application will be prepared by, or under the direction of, and certified by a qualified, registered, professional engineer or land surveyor, with assistance from experts in related fields such as hydrology, geology and landscape architecture, and will be updated as required by the Division. The following cross sections and maps will be certified:
 - 512.120. Surface facilities and operations as described under R645-301-521.124, R645-301-521.164, R645-301-521.165 and R645-301-521.167;

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Proposal:

Plates IV-10 and II-1 are not certified.

Compliance:

These plates must be certified.

- 232.600. **Timing.** All material to be removed under R645-301-232 will be removed after the vegetative cover that would interfere with its salvage is cleared from the area to be disturbed, but before any drilling, blasting, mining, or other surface disturbance takes place.

Proposal:

The haul road has been certified to the point 4+00 on the plant access road profile. The certification shows a berm along the southeast outslope of this road. At point 4+00 the profile shown on Plate IV-10 begins. This profile shows ditches on either side of the road.

Compliance:

No topsoil has been removed from the area southeast of the plant access road.

No berms are noted on this map along the road beyond the certified haulroad. The ditch on the south outslope of the tank access road ends at 7+00 and feeds into the natural drainage. There appears to be a gap in coverage between point 4+00 and 7+00 on Plate IV-10. This may be a location where coal and waste disposal outwash can contaminate the topsoil.

- 234.200. **Stockpiled materials will:**
234.230. **Be protected from wind and water erosion through prompt establishment and maintenance of an effective, quick growing vegetative cover or through other measures approved by the Division; and**

Proposal:

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Plate II-1 appears to place the Topsoil stockpile T-2 in a drainage.

Compliance:

The location of the stockpile should be verified with on site conditions. I believe that this topsoil pile is adjacent to this drainage.

420. Air Quality.

421. Coal mining and reclamation operations will be conducted in compliance with the requirements of the Clean Air Act (42 U.S.C. Sec. 7401 et seq.) and any other applicable Utah or federal statutes and regulations containing air quality standards.

422. The application will contain a description of coordination and compliance efforts which have been undertaken by the applicant with the Utah Bureau of Air Quality.

Proposal:

Consol has written to the Division of Air Quality stating that they do not require an Air Quality Permit and asking for the Division of Air Quality's written concurrence. Their reasoning is that they have not expanded any facilities since the enactment of the Clean Air Act. Annual production figures are related at 0 Tons/year.

The applicant states that Chapter X, Part C of the MRP will be updated after a response to this request is received from air quality.

Compliance:

The applicant is in compliance with the intent of this regulation.

Although mining activity has ceased, Consol sells between 600 and 800 Tons of coal in the winter months. This figure dwindles to about 50 Tons in the summer months. The coal is being shuttled from the CROM pile at the public road to the crusher facility where it is sized and separated. I have noted that the equipment used for this procedure is a three-sided dump truck with sides extended by wood rails. The separated fines are returned to the CROM pile.

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CONCLUSION:

The submittal must be returned for certification of maps. The location of the topsoil pile, T-2, should be verified in the field. The lack of a berm along the south outslope of the haulroad may lead to enforcement action for failure to protect the topsoil resource which has not yet been salvaged from this portion of the disturbed area.