



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

Michael O. Leavitt
Governor
Ted Stewart
Executive Director
James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

January 17, 1996

TO: File

FROM: Pamela Grubaugh-Littig, Permit Supervisor 

RE: AVS Recommendation, Emery Deep Mine, Consolidation Coal Company, ACT/015/015, Folder #3, Carbon County, Utah

As of the writing of this memo, there is a "conditional issue" recommendation for the Emery Deep Mine (see attached AVS recommendation). There are no patterns of violations, unabated violations nor any delinquent fines nor any forfeitures associated with this entity in Utah.

There were several circumstances surrounding this AVS recommendation. A federal government furlough from December 16, 1995 to January 7, 1996 denied the Division access to the Applicant Violator System (attached). On January 8, 1996, an OSM recommendation was requested, but due to the "blizzard" in the East, only a skeleton crew was available for several days and unable to issue any OSM recommendations, especially after the three week furlough.

An OSM recommendation of "deny" was received on January 11, 1996 and I promptly notified the permittee. On January 12, 1996, Tim Kirschbaum, Consolidation Coal Company said that the fines were paid, via certified mail, from Pittsburg to the Lexington Office. A holiday on Monday, January 15, 1996 closed government offices. On January 17, 1996 the OSM recommendation was a "conditional issue" (attached).



Data General AViiON DG/UX System

#=====

#===== #
12/18/95 SYSTEM AVAILABILITY 07:00 am

Please be advised that this information service of the Office of
Surface Mining Reclamation and Enforcement (OSM) may not be available,
beginning on or about 12 noon, December 18, 1995, due to insufficient
OSM appropriated funding.

#===== #
12/18/95 SYSTEM AVAILABILITY 09:15 am

OSM has received notice to shutdown until further notice. No access
to this information service will be allowed, until OSM has received
it's appropriation.

#===== #
Sincerely, Systems Administrator

PRESS THE RETURN KEY TO CONTINUE

■ avsdg

°State : UT Permit No : Appl No : ACT015015

°Permittee : Seqno : 1

°Applicant : 107373(CONSOLIDATION COAL CO)

°SYSTEM : D (DENY) Date : 17-Jan-1996 Mode : VIEW

°Reason: 0 AML, 0 AUD, 4 CMIS, 9 FORF, 58 STATE, 0 NRSP VIOLATION(S)

°OSMRE : C (COND ISSUE) Date : 17-Jan-1996 Mode : VIEW

°Reason: Condition is based on the continual compliance with the Kentucky,

West Virginia and OSM settlement agreements and the outcome of hearing

on the Federal citations. cc

°SRA : Date : 17-Jan-1996 Mode : UPDATE

°Reason:

SAVE (F5) DELETE (F8)

PRV_SCR (F3) QUIT (F4) CHOICES (F10)

± avsdg