

0004



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

Timothy Kirschbaum
Senior Engineer
Consolidation Coal Company
Mid-Continent Region
12755 Olive Boulevard
St. Louis, Missouri 63141

Re: Permit Renewal, Emery Deep Mine, Consolidation Coal Company,
ACT/015/015, Folder #3 and Permit Binder, Emery County, Utah

Dear Mr. Kirschbaum:

The permit for the Emery Deep Mine is renewed. I am enclosing the Decision Document for the Emery Deep Mine Permit Renewal. Please sign both copies of the permit and return one to the Division. Thank you.

Very truly yours,

A handwritten signature in cursive script that reads "James W. Carter".

James W. Carter
Director

Enclosure

cc: Lowell P. Braxton
Pamela Grubaugh-Littig
Daron Haddock
Joe Helfrich



UTAH DIVISION OF OIL, GAS AND MINING
STATE DECISION DOCUMENT
PERMIT RENEWAL

EMERY DEEP MINE
ACT/015/015

Consolidation Coal Company
Emery County, Utah
January 8, 1996

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FINDINGS

FIVE-YEAR RENEWAL

CONSOLIDATION COAL COMPANY EMERY DEEP MINE ACT/015/015

Emery County, Utah
January 8, 1996

1. Application for a permit renewal was made on September 1, 1995 (R645-303.233.100).
2. The terms and conditions of the existing permit are being satisfactorily met (R645-303-233.110).
3. The present coal mining and reclamation operations are in compliance with the environmental protection standards of the State Program (R645-303.233.120).
4. The requested renewal does not substantially jeopardize the operator's continuing ability to comply with the State Program on the existing permit area (R645-303-233.130).
5. The permittee has provided evidence of having liability insurance (R645-303-233.140). (Lumbermens Mutual Casualty Co. 5YL 945 444)
6. The permittee has provided evidence that a performance bond is in effect for the operation and will continue in full force and effect for the proposed permit renewal (R645-303-233.150) (Surety Bond issued by Seaboard Surety Company, #188617 in the amount of \$3,454,443.)
7. For the most recent permit term, permit changes ordered by the Division and Notices of Violation requiring a permit change have been incorporated into the permit.

ADMINISTRATIVE OVERVIEW
CONSOLIDATION COAL COMPANY
EMERY DEEP MINE
ACT/015/015

Emery County, Utah
January 8, 1996

Background

Consolidation Coal Company operates the Emery Deep Mine located in Emery County at the confluence of the Quitchupah Creek and Christiansen Wash, approximately four miles south of the town of Emery, Utah.

There is a long history of mining in this area. Prior to August 3, 1977, permitted underground coal mining activity was being conducted in Sections 28, 29, 32, and 33 of T22S, R6E. A permanent program permit was issued January 7, 1986, approximately 5, 180 acres. The current renewal application maintains the same permit boundary as approved in the 1986 permit and renewed in 1991.

Due to economic conditions, the Emery Deep Mine is currently in temporary cessation. Prior to stopping production, the mine was producing approximately 700,000 tons per year. Planned production could as high as 1,700,000 tons per year. A surface mine was at one time proposed for the area but is no longer being considered. A preparation plan has also been proposed for the site but has not been built.

On September 1, 1995, Consolidation Coal Company submitted a permit renewal application for the Emery Deep Mine.

The applicant published notice for the five-year permit renewal for four consecutive weeks ending on September 26, 1995. No comments were received.

Recommendation for Approval

Approval for the five-year permit renewal is recommended based on the fact that there is adequate bond and insurance for the approved permit area (see Permit Renewal Directive, effective January 12, 1994.) A "conditional issue" was received from the Applicant Violator System. The permit renewal term will not exceed the original permit term of five years and will expire on January 8, 2001.

CHRONOLOGY

Consolidation Coal Company
Emery Deep Mine
ACT/015/015

Emery County, Utah
January 8, 1996

- September 1, 1995 Consolidation Coal Company submits a permit renewal application for the Emery Deep Mine.
- September 5, 1995 Consolidation Coal Company commences public notice of permit renewal for the Emery Deep Mine for four consecutive weeks.
- November 21, 1995 Division notifies all appropriate agencies for the permit renewal.
- January 8, 1996 Public comment period concludes with no adverse comments received. Division makes findings and conditions permit upon AVS recommendation which was not available due to government furlough (from December 16, 1995 to January 7, 1996.) An AVS recommendation was requested on January 8, 1996, but due to the "blizzard conditions" there was only a skeleton crew at the Lexington, Kentucky, AVS Office and an OSM recommendation was not available. The recommendation was received on January 11, 1996 with a "deny" and the permit block was lifted on January 17, 1996 with a conditional issue. Due to the above-described circumstances, the permit is being dated January 8, 1996.

FINDINGS

FIVE-YEAR RENEWAL

CONSOLIDATION COAL COMPANY EMERY DEEP MINE ACT/015/015

Emery County, Utah
January 8, 1996

1. Application for a permit renewal was made on September 1, 1995 (R645-303.233.100).
2. The terms and conditions of the existing permit are being satisfactorily met (R645-303-233.110).
3. The present coal mining and reclamation operations are in compliance with the environmental protection standards of the State Program (R645-303.233.120).
4. The requested renewal does not substantially jeopardize the operator's continuing ability to comply with the State Program on the existing permit area (R645-303-233.130).
5. The permittee has provided evidence of having liability insurance (R645-303-233.140). (Lumbermens Mutual Casualty Co. 5YL 945 444)
6. The permittee has provided evidence that a performance bond is in effect for the operation and will continue in full force and effect for the proposed permit renewal (R645-303-233.150) (Surety Bond issued by Seaboard Surety Company, #188617 in the amount of \$3,454,443.)
7. For the most recent permit term, permit changes ordered by the Division and Notices of Violation requiring a permit change have been incorporated into the permit.

**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**

This permit, ACT/015/015, is issued for the state of Utah by the Utah Division of Oil, Gas and Mining ("DOGM") to:

**Consolidation Coal Company
Mid-Continent Region
12755 Olive Boulevard
St. Louis, Missouri 63141
(314) 275-2512**

for the Emery Deep Mine. Consolidation Coal Company is the lessee of federal coal lease U-5287, the lessee of state coal leases #25005(2), #19797, and the lessee of certain fee-owned parcels in Sections 29 and 30, Township 22 South, Range 6 East, SLBM. A performance bond is filed with the DOGM in the amount of \$3,454,443.00, payable to the state of Utah, Division of Oil, Gas and Mining and the Office of Surface Mining Reclamation and Enforcement ("OSMRE"). DOGM must receive a copy of this permit signed and dated by the permittee.

Sec. 1 STATUTES AND REGULATIONS - This permit is issued pursuant to the Utah Coal Mining and Reclamation Act of 1979, Utah Code Annotated ("UCA") 40-10-1 et seq, hereafter referred to as the Act.

Sec. 2 PERMIT AREA - The permittee is authorized to conduct underground coal mining activities on the following described lands within the permit area at the Emery Deep Mine situated in the state of Utah, Emery County, and located:

Township 22 South, Range 6 East, SLBM

Section 19:	S1/2 NE1/4, E1/2 SW1/4, and SE1/4
Section 20:	S1/2 NE1/4, SE1/4 NW1/4 and S1/2
Section 21:	S1/2 N1/2 and S1/2
Section 22:	SW1/4 SW1/4
Section 27:	W1/2
Section 28, 29, 31, 32:	All
Section 30:	All except NW1/4 NW1/4, S1/2 NW1/4 SW1/4 and SW1/4 SW1/4
Section 33:	N1/2 and SW1/4

This legal description is for the permit area of the Emery Deep Mine. The

permittee is authorized to conduct underground coal mining activities connected with mining on the foregoing described property subject to the conditions of the leases, the approved mining plan, including all conditions and all other applicable conditions, laws and regulations.

- Sec. 3 COMPLIANCE** - The permittee will comply with the terms and conditions of the permit, all applicable performance standards and requirements of the State Program.
- Sec. 4 PERMIT TERM** - This permit becomes effective on January 8, 1996, and expires on January 8, 2001.
- Sec. 5 ASSIGNMENT OF PERMIT RIGHTS** - The permit rights may not be transferred, assigned or sold without the approval of the Director, DOGM. Transfer, assignment or sale of permit rights must be done in accordance with applicable regulations, including but not limited to 30 CFR 740.13(e) and R645-303.
- Sec. 6 RIGHT OF ENTRY** - The permittee shall allow the authorized representative of the DOGM, including but not limited to inspectors, and representatives of OSMRE, without advance notice or a search warrant, upon presentation of appropriate credentials, and without delay to:
- (a) Have the rights of entry provided for in 30 CFR 840.12, R645-400-110, 30 CFR 842.13 and R645-400-220; and,
 - (b) Be accompanied by private persons for the purpose of conducting an inspection in accordance with R645-400-210 and 30 CFR 842, when the inspection is in response to an alleged violation reported by the private person.
- Sec. 7 SCOPE OF OPERATIONS** - The permittee shall conduct underground coal mining activities only on those lands specifically designated as within the permit area on the maps submitted in the mining and reclamation plan and permit application and approved for the term of the permit and which are subject to the performance bond.
- Sec. 8 ENVIRONMENTAL IMPACTS** - The permittee shall minimize any adverse impact to the environment or public health and safety through but not limited to:
- (a) Any accelerated monitoring to determine the nature and extent of noncompliance and the results of the noncompliance;

- (b) Immediate implementation of measures necessary to comply; and
- (c) Warning, as soon as possible after learning of such noncompliance, any person whose health and safety is in imminent danger due to the noncompliance.

- Sec. 9 DISPOSAL OF POLLUTANTS** - The permittee shall dispose of solids, sludge, filter backwash or pollutants in the course of treatment or control of waters or emissions to the air in the manner required by the approved Utah State Program and the Federal Lands Program which prevents violation of any applicable state or federal law.
- Sec. 10 CONDUCT OF OPERATIONS** - The permittee shall conduct its operations:
- (a) In accordance with the terms of the permit to prevent significant, imminent environmental harm to the health and safety of the public; and
 - (b) Utilizing methods specified as conditions of the permit by DOGM in approving alternative methods of compliance with the performance standards of the Act, the approved Utah State Program and the Federal Lands Program.
- Sec. 11 EXISTING STRUCTURES** - As applicable, the permittee will comply with R645-301 and R645-302 for compliance, modification, or abandonment of existing structures.
- Sec. 12 RECLAMATION FEE PAYMENTS** - The operator shall pay all reclamation fees required by 30 CFR part 870 for coal produced under the permit, for sale, transfer or use.
- Sec. 13 AUTHORIZED AGENT** - The permittee shall provide the names, addresses and telephone numbers of persons responsible for operations under the permit to whom notices and orders are to be delivered.
- Sec. 14 COMPLIANCE WITH OTHER LAWS** - The permittee shall comply with the provisions of the Water Pollution Control Act (33 USC 1151 et seq,) and the Clean Air Act (42 USC 7401 et seq), UCA 26-11-1 et seq, and UCA 26-13-1 et seq.
- Sec. 15 PERMIT RENEWAL** - Upon expiration, this permit may be renewed for areas within the boundaries of the existing permit in accordance with the Act, the approved Utah State Program and the Federal Lands Program.

Sec. 16 CULTURAL RESOURCES - If during the course of mining operations, previously unidentified cultural resources are discovered, the permittee shall ensure that the site(s) is not disturbed and shall notify DOGM. DOGM, after coordination with OSMRE, shall inform the permittee of necessary actions required. The permittee shall implement the mitigation measures required by DOGM within the time frame specified by DOGM.

Sec. 17 APPEALS - The permittee shall have the right to appeal as provided for under R645-300.

The above conditions (Secs. 1-17) are also imposed upon the permittee's agents and employees. The failure or refusal of any of these persons to comply with these conditions shall be deemed a failure of the permittee to comply with the terms of this permit and the lease. The permittee shall require his agents, contractors and subcontractors involved in activities concerning this permit to comply with these conditions. These conditions may be revised or amended, in writing, by the mutual consent of DOGM and the permittee at any time to adjust to changed conditions or to correct an oversight. DOGM may amend these conditions at any time without the consent of the permittee in order to make them consistent with any new federal or state statutes and any new regulations.

THE STATE OF UTAH

By: James P. Brayton for J.W.C.

Date: 1-17-96

I certify that I have read, understand and accept the requirements of this permit and any special conditions attached.

PERMITTEE

By: _____

Date: _____

the St Paul SEABOARD

St. Paul / Seaboard
215 Centerview Drive, Suite 300
Brentwood, Tennessee 37027-5246

615 377 4684
Fax 615 377 4692

August 31, 1995

State of Utah
Division of Oil, Gas & Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, UT 84180-1203

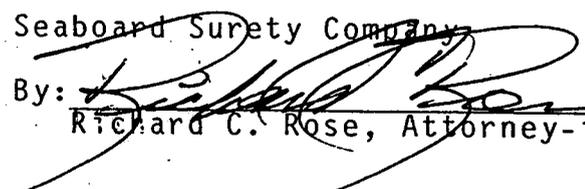
Gentlemen:

The Surety Performance Bond Number 188617 written by Seaboard Surety Company in the amount of \$3,454,443.00 covering Emery Deep Mine, ACT/015/015 Folder #4, with Consolidation Coal Company, as principal, will remain in force for the duration of the permit term.

It is agreed and understood that the referenced bond is not cumulative in nature, regardless of the number of years it may remain in effect. It is further agreed and understood that the Surety does not waive any rights or remedies under law by the issuance of this letter.

Seaboard Surety Company

By:


Richard C. Rose, Attorney-in-Fact

Seaboard Surety Company
St. Paul Fire and Marine Insurance Company
St. Paul Mercury Insurance Company
St. Paul Guardian Insurance Company

Certified Copy

SEABOARD SURETY COMPANY

ADMINISTRATIVE OFFICES, BEDMINSTER, NEW JERSEY

POWER OF ATTORNEY

No. 13250

KNOW ALL MEN BY THESE PRESENTS: That SEABOARD SURETY COMPANY, a corporation of the State of New York, has made, constituted and appointed and by these presents does make, constitute and appoint **Richard G. Anderson or Richard C. Rose or Janice Fennell or Frank A. Word, Jr. or Tracy Tucker**

of **Knoxville, Tennessee** its true and lawful Attorney-in-Fact, to make, execute and deliver on its behalf insurance policies, surety bonds, undertakings and other instruments of similar nature as follows

Without Limitations

Such insurance policies, surety bonds, undertakings and instruments for said purposes, when duly executed by the aforesaid Attorney-in-Fact, shall be binding upon the said Company as fully and to the same extent as if signed by the duly authorized officers of the Company and sealed with its corporate seal and all the acts of said Attorney-in-Fact, pursuant to the authority hereby given, are hereby ratified and confirmed.

This appointment is made pursuant to the following By-Laws which were duly adopted by the Board of Directors of the said Company on December 8th, 1927, with Amendments to and including January 15, 1982 and are still in full force and effect

ARTICLE VII, SECTION 1

"Policies, bonds, recognizances, stipulations, consents of surety, underwriting undertakings and instruments relating thereto, Insurance policies, bonds, recognizances, stipulations, consents of surety and underwriting undertakings of the Company, and releases, agreements and other writings relating in any way thereto or to any claim or loss thereunder, shall be signed in the name and on behalf of the Company

(a) by the Chairman of the Board, the President, a Vice-President or a Resident Vice-President and by the Secretary, an Assistant Secretary, a Resident Secretary or a Resident Assistant Secretary, or (b) by an Attorney-in-Fact for the Company appointed and authorized by the Chairman of the Board, the President or a Vice-President to make such signature, or (c) by such other officers or representatives as the Board may from time to time determine.

The seal of the Company shall if appropriate be affixed thereto by any such officer, Attorney-in-Fact or representative."

IN WITNESS WHEREOF, SEABOARD SURETY COMPANY has caused these presents to be signed by one of its Vice-Presidents, and its corporate seal to be hereunto affixed and duly attested by one of its Assistant Secretaries, this 5th day of April, 1995



Attest,

(Seal) *Adelyn M. Fuller*
Assistant Secretary

SEABOARD SURETY COMPANY,

By *Michael B. Keegan*
Vice-President

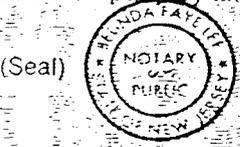
STATE OF NEW JERSEY
COUNTY OF SOMERSET

ss.

On this 5th day of April, 1995

Michael B. Keegan

before me personally appeared Michael B. Keegan, a Vice-President of SEABOARD SURETY COMPANY, with whom I am personally acquainted, who, being by me duly sworn, said that he resides in the State of New Jersey, that he is a Vice-President of SEABOARD SURETY COMPANY, the corporation described in and which executed the foregoing instrument; that he knows the corporate seal of the said Company; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Company; and that he signed his name thereto as Vice-President of said Company by like authority.



BELINDA FAYE LEE
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Sept. 9, 1998

Belinda Faye Lee
Notary Public

CERTIFICATE

I, the undersigned Assistant Secretary of SEABOARD SURETY COMPANY do hereby certify that the original Power of Attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this Certificate and I do further certify that the Vice-President who executed the said Power of Attorney was one of the Officers authorized by the Board of Directors to appoint an attorney-in-fact as provided in Article VII, Section 1, of the By-Laws of SEABOARD SURETY COMPANY.

This Certificate may be signed and sealed by facsimile under and by authority of the following resolution of the Executive Committee of the Board of Directors of SEABOARD SURETY COMPANY at a meeting duly called and held on the 25th day of March 1970.

"RESOLVED: (2) That the use of a printed facsimile of the corporate seal of the Company and of the signature of an Assistant Secretary on any certification of the correctness of a copy of an instrument executed by the President or a Vice-President pursuant to Article VII, Section 1, of the By-Laws appointing and authorizing an attorney-in-fact to sign in the name and on behalf of the Company surety bonds, underwriting undertakings or other instruments described in said Article VII, Section 1, with like effect as if such seal and such signature had been manually affixed and made, hereby is authorized and approved."

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Company to these presents this 31st day of August, 1995



Sara M. Klement
Assistant Secretary

IN ACCORDANCE WITH THE ABOVE TERMS AND CONDITIONS, and the Utah Code Annotated 40-10-1 seq., the Insurance Company hereby attests to the fact that coverage for said Permit Application is in accordance with the requirements of the State of Utah and agrees to notify the Division of Oil, Gas and Mining in writing of any substantive change, including cancellation, failure to renew, or other material change. No change shall be effective until at least thirty (30) days after such notice is received by the Division. Any change unauthorized by the Division is considered a breach of the RECLAMATION AGREEMENT and the Division may pursue remedies thereunder.

UNDERWRITING AGENT:

Michael Brundage
(Agent's Name)

908/522-4000
(Phone)

The Kemper Group
(Company Name)

25 DeForest Avenue
(Mailing Address)

Summit, NJ 07901
(City, State, Zip Code)

The undersigned affirms that the above information is true and complete to the best of his/her knowledge and belief, and that he/she is an authorized representative of the above-named insurance company. (An Affidavit of Qualification must be completed and attached to this form for each authorized agent or officer.)

Michael Brundage / Underwriter Account Exec.
(Date, Signature and Title of Authorized Agent of Insurance Company)

Signed and sworn to before me by _____

this 20th day of December, 1995.

Kathleen Dowling
(Signature)

My Commission Expires: _____
KATHLEEN L. DOWLING
NOTARY PUBLIC OF NEW JERSEY
(Date)
My Commission Expires March 22, 2000



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

Michael O. Leavitt
Governor
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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)

AFFIDAVIT OF PUBLICATION

STATE OF UTAH)

SS.

County of Emery,)

I, Kevin Ashby, on oath, say that I am the Publisher of the Emery County Progress, a weekly newspaper of general circulation, published at Castle Dale, State and County aforesaid, and that a certain notice, a true copy of which is hereto attached, was published in the full issue of such newspaper for 4 (Four) consecutive issues, and that the first publication was on the 5th day of September, 1995 and that the last publication of such notice was in the issue of such newspaper dated the 26th day of September, 1995.



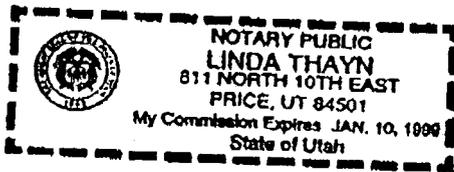
Kevin Ashby - Publisher

Subscribed and sworn to before me this 26th day of September, 1995.



Notary Public My commission expires January 10, 1999 Residing at Price, Utah

Publication fee, \$256.00

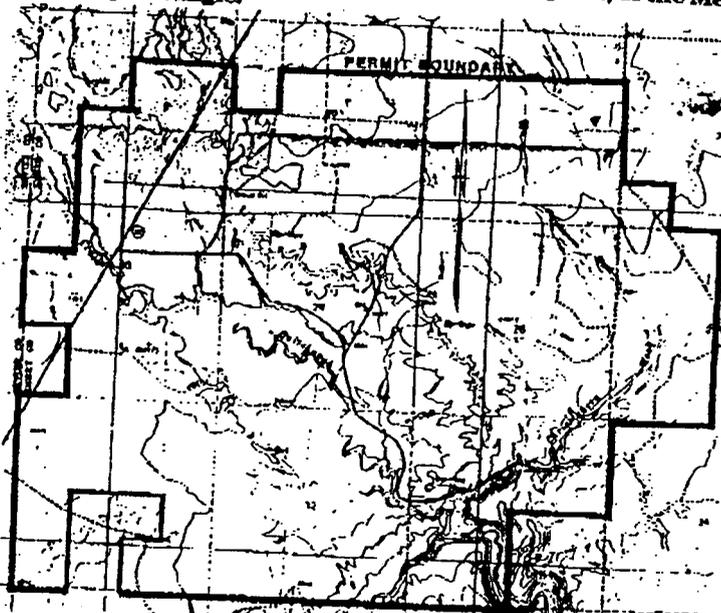


NOTICE

Notice is hereby given that Consolidation Coal Company, 1800 Washington Road, Pittsburgh, Pennsylvania 15241, has filed an application with the State of Utah, Department of Natural Resources, Division of Oil, Gas and Mining for a five-year permit renewal of Permit No. ACT/015/015 to operate the Emery Mine under the provisions of the Utah Coal Mining and Reclamation Act and the Utah R645 Coal Mining Rules.

The permit area, as shown on the map below, is located on U.S. Geological Survey 7.5 minute quadrangle map as follows:

- Sections 19, 20, 21, 28, 29, and 30, Township 22S, Range 6E, of the Emery West Quadrangle;
- Sections 21, 22, 27, and 28, Township 22S, Range 6E, of the Emery East Quadrangle;
- Sections 28, 29, 30, 31, 32, and 33, Township 22S, Range 6E, of the Walker Flat Quadrangle;
- Sections 27, 28, and 33, Township 22S, Range 6E, of the Mesa Butte Quadrangle.



Copies of the application for this permit are available for inspection at:

- Emery County Recorder's Office
- Emery County Courthouse
- Castle Dale, Utah 84513
- Division of Oil, Gas and Mining
- 355 West North Temple
- 3 Triad Center, Suite 350
- Salt Lake City, Utah 84180-1203

Written comments on this application should be submitted to the State of Utah, Division of Oil, Gas & Mining at the above address. Such comments should be filed within thirty (30) days from the date of the last publication of this notice.

Published in the Emery County Progress September 5, 12, 19 and 26, 1995.



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

Michael O. Leavitt
Governor
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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)

November 21, 1995

FIELD(1)

Re: Notice of Five Year Permit Renewal, Consolidation Coal Company Emery Deep Mine, ACT/015/015, Folder #3, Emery County, Utah

Dear Mr. **FIELD(2)**:

The Utah Division of Oil, Gas and Mining (Division) is hereby giving notice to all appropriate agencies in accordance with R645-300-121.300 of the Utah Coal Mining Reclamation Act of this permit renewal for the Emery Deep Mine.

The permit area (approximately 5,180 acres) is located in Emery County, Utah and is described as follows:

Sections 19, 20, 21, 28, 29 and 30, Township 22 South, Range 6 East, of the Emery West Quadrangle;

Sections 21, 22, 27 and 28, Township 22 South, Range 6 East, of the Emery East Quadrangle;

Sections 28, 29, 30, 31, 32 and 33, Township 22 South, Range 6 East, of the Walker Flat Quadrangle;

Sections 27, 28 and 33, Township 22 South, Range 6 East, of the Mesa Butte Quadrangle.

No decision will be made by the Director for a minimum period of 30 days after submission of this Notice of Availability to the appropriate agencies. This plan is available for public review at the Division of Oil, Gas and Mining, 3 Triad Center, Suite 350, 355 West North Temple, Salt Lake City, Utah 84180-1203. If no adverse comments are received, the Division will successively renew this mining permit.

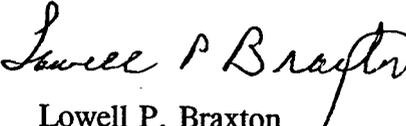


Comments on this plan may be addressed to the Director of this office:

James W. Carter, Director
Division of Oil, Gas and Mining
3 Triad Center, Suite 350
355 West North Temple
Salt Lake City, Utah 84180-1203

For further information, please contact Lowell P. Braxton or Pamela Grubaugh-Littig at the above address.

Sincerely,



Lowell P. Braxton
Associate Director, Mining

mbm

cc: P. Grubaugh-Littig
EMERY.5YR

James Fulton, Chief
Denver Field Division
Office of Surface Mining
Reclamation and Enforcement
Western Regional Coordinating Center
1999 Broadway, Ste. 3320
Denver, CO 80202-5733

Mark Bailey, Area Manager
Price River Resource Area
Bureau of Land Management
125 South 6th West
Price, UT 84501

Alan Rabinoff, Chief
Mining Law and Solid Minerals
Bureau of Land Management
324 South State Street
P. O. Box 45155
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