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

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January 21, 2003

OK

Tim Kirschbaum, Environmental Engineer
Consolidation Coal Company
P.O. Box 566
Sesser, Illinois 62884

Re: Revised Mine Plan, Consolidation Coal Company, Emery Deep Mine, C/015/015-AM02E, Outgoing File

Dear Mr. Kirschbaum:

The above-referenced amendment has been reviewed. There are deficiencies that must be adequately addressed prior to approval. A copy of our Technical Analysis is enclosed for your information. In order for us to continue to process your application, please respond to these deficiencies by February 22, 2003.

If you have any questions, please call me at (801) 538-5325 or Wayne Western at (801) 538-5263.

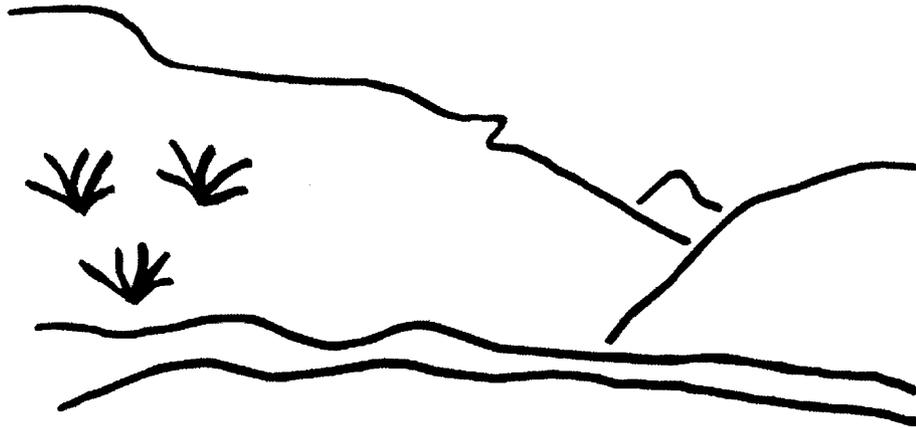
Sincerely,

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

Daron Haddock
Permit Supervisor

an
Enclosure
cc: Price Field Office
O:\015015.EME\FINAL\DefAM02E.doc

State of Utah



Utah Oil Gas and Mining

Coal Regulatory Program

Emery Deep Mine
Revised Mine Plan
C/015/015-AM02E
Technical Analysis
January 22, 2003

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TECHNICAL ANALYSIS

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The Division ensures compliance with the Surface Mining Control and Reclamation Act of 1977 (SMCRA). When mines submit a Permit Application Package or an amendment to their Mining and Reclamation Plan, the Division reviews the proposal for conformance to the R645-Coal Mining Rules. This Technical Analysis is such a review. Regardless of these analyses, the permittee must comply with the minimum regulatory requirements as established by SMCRA.

Readers of this document must be aware that the regulatory requirements are included by reference. A complete and current copy of these regulations and a copy of the Technical Analysis and Findings Review Guide can be found at <http://ogm.utah.gov/coal>

This Technical Analysis (TA) is written as part of the permit review process. It documents the Findings that the Division has made to date regarding the application for a permit and is the basis for permitting decisions with regard to the application. The TA is broken down into logical section headings which comprise the necessary components of an application. Each section is analyzed and specific findings are then provided which indicate whether or not the application is in compliance with the requirements.

Often the first technical review of an application finds that the application contains some deficiencies. The deficiencies are discussed in the body of the TA and are identified by a regulatory reference which describes the minimum requirements. In this Technical Analysis we have summarized the deficiencies at the beginning of the document to aid in responding to them. Once all of the deficiencies have been adequately addressed, the TA will be considered final for the permitting action.

It may be that not every topic or regulatory requirement is discussed in this version of the TA. Generally only those sections are analyzed that pertain to a particular permitting action. TA's may have been completed previously and the revised information has not altered the original findings. Those sections that are not discussed in this document are generally considered to be in compliance.

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TECHNICAL ANALYSIS

INTRODUCTION

INTRODUCTION

On December 12, 2002, the Division received amendment AM02E for the Emery Deep Mine. The amendment deals specifically with a modification of the mine plan. The Division needs the Permittee to submit mine maps that show the areas of potential subsidence and have a coordinate system.

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INTRODUCTION

OPERATION PLAN

OPERATION PLAN

SUBSIDENCE CONTROL PLAN

Regulatory Reference: 30 CFR 784.20, 817.121, 817.122; R645-301-521, -301-525, -301-724.

Analysis:

Subsidence Control Plan

A subsidence control plan for the Emery Deep Mine was developed before the new mine layout. The approved subsidence control plan shows areas where subsidence was not permitted due to alluvial valley floors, stream buffer zones or structures. See Plate V-5 for details.

While the proposed areas to be mined do not appear to include areas where subsidence is not permitted, the subsidence control map needs to be updated to verify that information. At a minimum the Permittee must show the areas to be mined, subsided and the areas to be protected.

Findings:

The information provided in the Amendment AM02E is not considered adequate to meet the minimum requirements of the subsidence regulations. Prior to approval, the Permittee must provide the Division with the following in accordance with:

R645-301-525.420, The Permittee must update the subsidence maps to show the location of the proposed mine workings, the areas where subsidence is expected and the areas that will be protected from subsidence.

MAPS, PLANS, AND CROSS SECTIONS OF MINING OPERATIONS

Regulatory Reference: 30 CFR Sec. 784.23; R645-301-512, -301-521, -301-542, -301-632, -301-731, -302-323.

Analysis:

Mine Workings Maps

Plate IV-2, UG Operations Plan, shows the locations and extent of the known mine workings of the proposed operational areas and inactive or abandoned underground mine workings. In addition, the Permittee also included area of future mining. Some of the areas of

OPERATION PLAN

future mining appear to be outside the permit boundary. The Division assumes that the red line in the permit boundary.

To avoid confusion the Permittee needs to label the permit boundary and add other reference points such as UTM, State Plane Coordinates, or Township, Range and Section lines.

Certification Requirements

James Hinz, a registered profession engineer, has certified the mine map.

Findings:

The information provided in the Amendment AM02E is not considered adequate to meet the minimum requirements of the maps, plans and cross-sections regulations. Prior to approval, the Permittee must provide the Division with the following in accordance with:

R645-301-521.190, The Permittee must update the mine maps (UG Operations Plan Plate IV-2) to show the permit boundaries and a coordinate system such as UTM, State Plane or Township and Range.