

2003 Annual Report Review

Permittee: Consolidation Coal Company
Mine Name: Emery Deep Mine
Permit Number: C/015/0015
Date Report Received: April 1, 2004

OK

Assigned Reviewers:	Date Completed
David Darby Hydrology <i>DD</i>	April 27, 2004
Stephen Demczak <i>SD</i>	April 28, 2004
Jerriann Ernstsén, Biology <i>JE</i>	July 27, 2004

Instructions: The assigned staff will review their respective portions of the Annual report and provide a written determination (findings) on how the mine has or has not met the permit requirements for reporting. If the report is deficient or remedial action is required to obtain compliance, this should be noted and the inspector notified. Once all reviewers have completed the report, they should initial it and a copy will be filed in the Mine Internal File.

Assignments:

- Inspectors:** Review each cover sheet, AVS Legal/Financial, Mine Sequence Maps.
- Hydrologists:** Review Water Monitoring Data, Precipitation and Climatological Data, Non-Coal Waste
- Biologists:** Review Vegetation/Revegetation Success Monitoring, Raptor Survey
- Engineers:** Review Subsidence Monitoring Data, Annual Impoundment Certification, Annual Overburden, Spoils, Refuse, Floor, etc.

SECTIONS TO REVIEW	SUBMITTED		FINDINGS
	YES	NO	
Cover Sheet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Completed
AVS; Legal/ Financial Update	<input checked="" type="checkbox"/>	<input type="checkbox"/>	This information is in C-1 and C-2 of the annual report. Information is complete.
Mine Sequence Map	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The map is not P.E. certified.
Water Monitoring Data	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Water monitoring data has been input into the Division's water quality database.
Precipitation & Climatological Data	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Climatological was submitted in a disc, in the annual report.
Non-Coal Waste report	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Disposal of non-coal waste is described in the MRP. NCW is stored on site and picked up by contract for disposal at certified disposal site.
Subsidence Monitoring Data	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Subsidence information is not P.E. certified.
Annual Impoundment Certification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Annual sediment pond inspection was on Dec 20, 2003. These documents are P.E. certified.
Annual Overburden, Spoil, Refuse, Floor, etc.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No refuse pile inspections were submitted.

2003 Annual Report Review

SECTIONS TO REVIEW	SUBMITTED		FINDINGS
	YES	NO	
Vegetation Data	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Required and submitted, but not indicated in Annual Report 2003 cover sheet.</p> <p>Emery Deep Mine is committed to follow a four-phase vegetation study (Chapter III, Page 4b of the MRP). Phase I: Investigate and summarize past reclamation sites and practices at the Emery and Hidden Valley Mines. Phase II: Implement the best techniques demonstrated to be successful in Phase I. Phase III: Evaluate applied techniques qualitatively annually and quantitatively between the 4th and 6th year. These evaluations will be correlated to the precipitation data results obtained from an on-site weather station and incorporated into the annual report. Results of the phase III evaluations may result in additional field trials. Phase IV: Revise MRP to reflect best technology.</p> <p>The Permittee submitted a scope of work for Phase I of this study on April 1, 2003 and the results of the Phase I study in the 2003 Annual Report. Patrick Collins surveyed 19 sites for cover, total density, and woody plant density. He also conducted a literature search of these 19 sites and provided a summary of findings. Percent desired cover (i.e., weeds not included) ranged from 0.3 to 82 with half below 20 percent. Success was apparently dependent on sites having available water, acceptable sodic/saline soils, and no grazing. Patrick recommends reclaiming using water harvesting techniques. He does not provide recommendations for soil issues.</p> <p>At this time (July 27, 2004), the mine has been closed for at least a year. They plan to start mining in August 2004. At that time, the Permittee and Division will follow-up on phase III.</p>
Revegetation Success Monitoring	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Not required or submitted as indicated in Annual Report 2003 cover sheet.</p>
Raptor Survey	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Not required or submitted as indicated in Annual Report 2003 cover sheet.</p> <p>The Division and DWR discussed (February 5, 2004) the requirement to survey raptors (MRP, Ch. 8, pg. 5). We decided that the Permittee is not required to conduct raptor surveys unless they disturb new areas. The road extension east of the 4th east portal was considered as existing disturbance.</p>

2003 Annual Report Review

SECTIONS TO REVIEW	SUBMITTED		FINDINGS
	YES	NO	
Other Information	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>Required and submitted as indicated in Annual Report 2003 cover sheet.</p> <p>JBR conducted macroinvertebrate inventories in late September 2002 and 2003. The 2003 sampling was necessary because 2002 sampling numbers were too low. Sampling sites for the project are: Quitchupah Creek (QC1; 0.15 mile downstream from the QC/CW confluence) Quitchupah Creek (QC2; 0.3 mile upstream from the QC/CW confluence) Christiansen Wash (CW1; 0.3 mile above QC confluence.</p> <p>QC1 Total Taxa: 6 (2003), 7 (2002). QC2 Total Taxa: 3 (2003), 1 (2002). CW1 Total Taxa: 8 (2003), 4 (2002).</p> <p>QC1 0 #/m2: 237 (2003), 196 (2002). QC2 0 #/m2: 30 (2003), 2 (2002). CW1 0 #/m2: 102 (2003), 14 (2002). The standard deviations of the mean (0) were very high for the three sites.</p> <p>QC1 Diversity: 0.6 (2003), 1.9 (2002) QC2 Diversity: 2.2 (2003), 0.0 (2002) CW1 Diversity: 1.0 (2003), 1.5 (2002)</p> <p>HISTORICAL OVERVIEW: In accordance with DOGM requirements for perennial streams, macroinvertebrate sampling will be performed every three years following the 2003 baseline sampling (Chapter IV Page 7a). There were baseline studies done in the early 1980's, but they may have used different methods and parameters. Results of the current studies will be included as part of the annual report for that year (except 2002 report).</p> <p>JBR conducted macroinvertebrate and fish inventories in September 2002. This sampling will provide a new baseline. The 2002 results were sent to DWR for review and submitted to DOGM (MRP, Chapter IX, Appendix IX-2).</p>

O:\015015.EME\FINAL\AR_2003.doc