

TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

March 17, 2007

TO: Internal File

THRU: Pamela Grubaugh-Littig, Permit Supervisor *PL*

FROM: Wayne H. Western, Environmental Scientist III *W4W*

RE: 1st North Federal Lease Boundary Addition, CONSOL Energy Company, Emery Deep Mine, C/015/0015, Task ID #2807

SUMMARY:

On September 13, 2006, the Division received an amendment to increase the permit area at the Emery Deep Mine by 160-acres. The additional area contains both private and federal coal. The Permittee will not disturb and surface areas associated with the 160-acre addition. This memo covers engineering and bonding issues. The Division found the amendment to be deficient and sent out deficiencies under task 2646.

On February 13, 2007 and March 6, 2007, the Division received additional information to address the deficiencies listed under task 2646.

The Permittee withdrew the amendments and on May 17, 2007 resubmitted the amendment. The Division assigned the amendment task identification number 2807.

TECHNICAL ANALYSIS:

GENERAL CONTENTS

ENVIRONMENTAL RESOURCE INFORMATION

Regulatory Reference: Pub. L 95-87 Sections 507(b), 508(a), and 516(b); 30 CFR 783., et. al.

TECHNICAL MEMO

PERMIT AREA

Regulatory Requirements: 30 CFR 783.12; R645-301-521.

Analysis:

The Permittee met the minimum requirements for this section. The Permittee gave the Division an updated legal description in Section IV.A.1 of the MRP. Plate I-1 descriptions the number of acres that are under federal, State and private control for the entire permit.

Findings:

The information provided in the proposed amendment is considered adequate to meet the requirements of this section.

MAPS, PLANS, AND CROSS SECTIONS OF RESOURCE INFORMATION

Regulatory Reference: 30 CFR 783.24, 783.25; R645-301-323, -301-411, -301-521, -301-622, -301-722, -301-731.

Analysis:

Permit Area Boundary Maps

The Permittee met the requirements of this section. The Permittee updated mine maps to show that mining will only occur within the permit boundaries.

Findings:

Information provided in the proposed amendment is considered adequate to meet the requirements of this section.

OPERATION PLAN

MINING OPERATIONS AND FACILITIES

Regulatory Reference: 30 CFR 784.2, 784.11; R645-301-231, -301-526, -301-528.

Analysis:

The Permittee met the minimum requirements for this section by providing information on the expansion of the permit area. The Permittee does not propose any surface disturbance in 160-acre addition.

Findings:

Information provided in the proposed amendment is considered adequate to meet the requirements of this section.

RELOCATION OR USE OF PUBLIC ROADS

Regulatory Reference: 30 CFR 784.18; R645-301-521, -301-526.

Analysis:

The Permittee met the minimum requirements of this section by stating that they will not relocate or use any public roads in the 160-acre addition.

Findings:

Information provided in the proposed amendment is considered adequate to meet the requirements of this section.

COAL RECOVERY

Regulatory Reference: 30 CFR 817.59; R645-301-522.

Analysis:

This amendment deals only with the addition of 160-acres. Because the 160-acre lease is federal, the BLM must approve a Resource Recovery Protection Plan (R2P2) for the area. The BLM found that the recovery plan is adequate for the 160-acre IBC.

The Division relies on the R2P2 for information about the coal recovery plan. The Division found that full extraction in the 160-acre IBC would maximize coal recovery. Full extraction will allow the Permittee to maximize coal recovery.

TECHNICAL MEMO

Findings:

The Permittee met the minimum requirements of this section of the regulations.

SUBSIDENCE CONTROL PLAN

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

Analysis:

Subsidence Control Plan

The Permittee met the minimum requirements for this section. The Permittee updated the subsidence plan in Appendix V B to include information about subsidence in the 160-acre IBC.

The Permittee identified renewable resources within the 160-acre IBC.

The subsidence control plan is as follows:

- A description of coal removal method is in Section XIII.D.1 of the MRP.
- Plate V-5 shows the underground workings and the extent of subsidence. The angle of draw is listed in Chapter V page 27.
- Section V. A of the MRP contains a description of the physical conditions that could affect subsidence. The Permittee needs to include the thickness of the overburden above the subsidence area and the overlying stratigraphy.
- Section V. B of the MRP contains the subsidence-monitoring plan. The Permittee will monitor the site to determine the amount of subsidence that occurs and if surface subsidence features occur.
- The Permittee included a description of the anticipated effects of planned subsidence in the 160-IBC.

The Permittee made a commitment not to mine within the County road buffer zone in Appendix V-4 Figure 1. The buffer zone is shown on Figure 1.

Findings:

Information provided in the proposed amendment is considered adequate to meet the requirements of the subsidence control plan.

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:

Affected Area Maps

The affected area is shown on the permit boundary maps which are discussed elsewhere in the TA.

Mining Facilities Maps

There are not new mine facilities associated with the 160-acre IBC.

Mine Workings Maps

The Permittee met the requirements by showing the mine workings on several maps including Plate V-5. The mine plan was developed on the assumption that the 160-acre IBC would be added.

Certification Requirements

The Permittee met the requirements for map certification.

Findings:

The Permittee met the minimum requirements of this section of the regulations.

RECLAMATION PLAN

GENERAL REQUIREMENTS

Regulatory Reference: PL 95-87 Sec. 515 and 516; 30 CFR Sec. 784.13, 784.14, 784.15, 784.16, 784.17, 784.18, 784.19, 784.20, 784.21, 784.22, 784.23, 784.24, 784.25, 784.26; R645-301-231, -301-233, -301-322, -301-323, -301-331, -301-333, -301-341, -301-342, -301-411, -301-412, -301-422, -301-512, -301-513, -301-521, -301-522, -301-525, -301-526, -301-527, -301-528, -301-529, -301-531, -301-533, -301-534, -301-536, -301-537, -301-542, -301-623, -301-624, -301-625, -301-626, -301-631, -301-632, -301-731, -301-723, -301-724, -301-725, -301-726, -301-728, -301-729, -301-731, -301-732, -301-733, -301-746, -301-764, -301-830.

TECHNICAL MEMO

Analysis:

The addition of the 160-acres does will not require any additional reclamation activities, including a bond adjustment.

Findings:

The Permittee met the minimum requirements of this section of the regulations.

RECOMMENDATIONS:

The Division should approve the amendment.