
UTAH OGM COAL PROGRAM MEETING NOTES

Date: May 3, 2007

Location: DNR – Salt Lake City

To: Internal File, Emery Mine C/015/0015

From: Wayne Western *w/w*

Attendees: Consol Energy (John Gefferth)
DOGM (Pamela Grubaugh-Littig, Wayne Hedberg and Wayne Western)

Purpose: Discuss Presubsidence Survey for the 14th West Panel.

MEETING SUMMARY:

The purpose of the meeting was to discuss the pre-subsidence survey, landowner consent forms and the mitigation methods for the repair of subsidence damage. The main concerns are the Emery County road and the utility lines that parallel the road.

The pre-subsidence survey for the existing mine site is in Appendix V-3 and dates back to 1983. Instead of updating the entire appendix the Permittee proposed to submit Appendix V-4, that contains an updated pre-subsidence survey for only the 14th West Panel.

The Permittee will provide copy of the agreements with landowners, utility companies, and government agencies to allow subsidence to occur. The Permittee requested either the Division place the agreements in the confidential folder or that the Permittee can remove the dollar amounts. The Division agreed to allow either the Permittee to submit the agreements as confidential or blackout dollar amounts and other information about compensation.

- The Permittee is working with Emery County to allow the road to be subsided. The Permittee is preparing a draft agreement that they will submit to the County for review.
- The Permittee is working with Rocky Mountain Power for an agreement to all for power lines to be subsided.
- The Permittee will get an agreement with the phone companies to subside the phone lines on the power poles and the buried phone line.

The Permittee owns the water line but has an agreement with the County to allow private landowners to tap into the system. The Permittee will submit a monitoring plan for the water line. The monitoring plan will consist on a pressure monitor and a shut off valve. In the event of a water line break, there would be a drop in water pressure that the monitor would detect and then trigger the shut off valve to shut engage.

The water line provides water to the mine office and bathhouse. The line is gravity feed from the town of Emery. The main concern is that if there was a break that was not detected then the water supply for the town of Emery could be drained.

The Permittee showed that there would be some modification to the mine plan because MSHA required that the Permittee leave some pillars in place to provide access for inspection and for ventilation. The Permittee was to mine the area before all the agreements are in place.

The Division agreed to allow the Permittee to mine in areas where they have landowner permission. The Permittee agreed to not undermine the County road and the associated utilities until there are agreements in place and there is a monitoring plan for the water line.

The Permittee will contact the Army Corp of Engineers about a determination of jurisdictional wetlands above the 14th West Panels.

The Division agreed to make a determination of prime farmland over the 14th West Panel.

PROPOSED ACTION ITEMS:

The Permittee will submit Appendix V-4 on May 4, 2007

The Permittee will commit not to mine near the Emery County road until all agreements with the County and the utility companies are in place.

The Permittee will have the Army Corp of Engineers conduct a study to determine if there are jurisdictional wetlands about the 14th West Panel.

The Division will make a determination about the prime farmlands above the 14th West Panel.