

# TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

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October 23, 2007

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TO: Internal File

THRU: Pamela Grubaugh-Littig, Permit Supervisor *pgl*  
Steve Christensen, Team Lead *SKC*

FROM: Wayne H. Western, Environmental Scientist III *w hu*

RE: PHC Update (related to Task 2807 and Task 2821), CONSOL Energy Company, Emery Deep Mine, C/015/0015, Task ID #2885

## SUMMARY:

On October 3, 2007, the Permittee submitted updated hydrologic information to the Division. On October 12, 2007, the Permittee submitted additional information. The information was submitted per conditional approval granted the Permittee to employ full extraction techniques on the 14<sup>th</sup> West Panel in the Emery Deep Mine (Task ID #2807). In addition, the Permittee provided additional information in support of proposed full extraction mining in the 15<sup>th</sup> West, 4<sup>th</sup> East and 6<sup>th</sup> West panels.

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**TECHNICAL ANALYSIS:**

**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 of this section. The Permittee proposed to update the mine plan to allow for full extraction mining in the 4<sup>th</sup> East, 6th West 14<sup>th</sup> West, and 15th West and Zero North panels. The Permittee proposed to use full extraction for maximum economic coal recovery. The Permittee proposed to mine the zero north panel in order to recover coal while they wait on a federal IBC lease.

**Findings:**

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

**EXISTING STRUCTURES:**

Regulatory Reference: 30 CFR 784.12; R645-301-526.

**Analysis:**

The Permittee met the minimum requirements of this section. The Permittee will not be using any structure that was constructed prior to January 21, 1981 that has not already been used as part of the permit.

**Findings:**

The information in the proposed amendment is considered adequate to meet the minimum 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. The Permittee does not propose to relocate or use a public road as referred to as in R645-301-526. The Permittee proposed to subside areas that include Emery County roads. The Permittee and Emery County have reached an agreement for remediation of the roads in the event that subsidence damages the roads.

**Findings:**

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

**COAL RECOVERY**

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

**Analysis:**

The Permittee met the minimum requirements of this section. The Permittee proposed to use full extraction methods in order to increase coal recovery. By using full extraction (pillar splitting) the Permittee will recover coal that otherwise would have been left unrecoverable.

**Findings:**

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

**SUBSIDENCE CONTROL PLAN**

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

**Analysis:**

**Renewable Resources Survey**

The Permittee met the requirements of this section of the regulations. The Permittee conducted a presubsidence and determined that there were natural renewable resources, structures or State appropriated water rights in the subsidence zone.

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**Subsidence Control Plan**

The Permittee did not meet the minimum requirements of this section. In Chapter V page 26 of the December 2007 submittal, the Permittee stated:

Subsequent updated pre-subsidence surveys will be completed for all future panels where full extraction (planned subsidence) is contemplated. The reports will be submitted to DOGM six months prior to initiating full extraction.

The Division will not accept that commitment. R645-301-515.700 requires public notice at least six months prior to mining. In addition, three months may not give the Division enough time to renew and approve an application to conduction full extraction mining.

The Permittee did commit to truck water to the town of Emery if mining operations should disrupt municipal water supplies.

**Findings:**

The information provided in the proposed amendment is not considered adequate to meet the requirements of this section. Before approval, the Permittee must provide the following in accordance with:

**R645-301-525.700**, The Permittee must mail a notification the water conservancy district and the owners and occupants of surface properties and structures above the underground workings at least six months before mining.

**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**

The Permittee met the minimum requirements of this section. Plate V-5 shows the areas were they intent to conduction mining.

**Findings:**

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

## 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.

#### **Analysis:**

The Permittee met the general reclamation requirements. Since the amendment for full extraction does not involve any new surface facilities no additional reclamation work is needed.

#### **Findings:**

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

#### **RECOMMENDATIONS:**

The Division should deny the amendment until all of the above mentioned deficiencies have been adequately addressed.