

# TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

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September 23, 2008

TO: Internal File

THRU: Steve Christensen, Team Lead *SKC*

FROM: Priscilla Burton, Senior Reclamation Specialist/ Soils *PWB by ar*

RE: 4<sup>th</sup> East Coal Dust Baseline, Consolidation Coal Company, Emery Deep Mine, C/015/0015, Task # 3019

## SUMMARY:

The 4<sup>th</sup> East Portal development is in Section 27, T. 22 S. R. 6 E. Salt Lake Meridian. Chap. X-C page 5b states a commitment to evaluate the success of the Phase 1 controls that are described in App. X.C-3. This commitment required identification of the study transects in the field and inclusion of the transects in the MRP and monitoring of the transects regularly. The purpose of the monitoring was to determine objectively whether Phase I dust controls were successful or whether Phase II controls as described in App. X. C -3 would be implemented.

On, February 26, 2008, the Permittee monitored the transects described in Chap. X-C page 5b and provided the monitoring information along with a sketch of the transects for inclusion in the MRP (task 2954). The current information received July 23, 2008 was prepared in response to deficiencies. The information provided will enable the Permittee to meet the requirements of R645-301-526.222 to use the best technology available to protect the environment and related resources. The information should be incorporated into the MRP.

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**TECHNICAL ANALYSIS:**

**OPERATION PLAN**

**SUPPORT FACILITIES AND UTILITY INSTALLATIONS**

Regulatory Reference: 30 CFR Sec. 784.30, 817.180, 817.181; R645-301-526.

**Analysis:**

Strategies for dust control at the Emery Mine site were approved and the Norwest Inc. dust control plan was included in Appendix X.C-3 (reviewed under Tasks #1692, #1762, #1819, and #1929) as the abatement to N03-39-1-1. The associated monitoring program is described in Chap X-C page 5b.

The application rewords the commitment on page 5b to indicate that the transects will be monitored annually and the information will be provided in the annual report. This is acceptable to the Division.

The first monitoring since 2004 was done on February 26, 2008. The Permittee made an attempt to find and monitor the initial plots. The amendment provides a sketch of the transects, Chap X-C page 5c. The sketch identifies monitoring sites using State Plan Coordinates. The sketch includes a north arrow and topographic information.

The amendment includes the Division's 2004 inspection report as pages 5e through 5f. An Excel spreadsheet table makes comparison of the 2004 and 2008 and subsequent data possible.

Four years elapsed since the last monitoring, and over that time, site 2A apparently decreased in total vegetative cover by 35%. This may be due to the 60% coal fine cover that is 3 mm thick at the site or it may be due to not relocating the original 2A site.

**Findings:**

The purpose of this monitoring is to determine objectively whether Phase I dust controls are successful or whether Phase II controls as described in App. X. C -3 should be implemented. The information provided will enable the Permittee to meet the requirements of R645-301-526.222 to use the best technology available to protect the environment and related resources.

**RECOMMENDATIONS:**

The submittal is recommended for approval.

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