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State of Utah
DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

JK

May 23, 2008

John A. Gefferth, Environmental Engineer
Consolidation Coal Company
P.O. Box 566
Sesser, Illinois 62884

Subject: 4th East Coal Dust Baseline, Task ID #2954, Consolidation Coal Company, Emery Deep Mine, C/015/0015

Dear Mr. Gefferth:

The Division has determined that there are deficiencies that must be addressed before a determination can be made that the requirements of the R645 Coal Mining Rules have been met, and an approval can be granted. Those deficiencies are listed as an attachment to this letter.

Each deficiency identifies its author by that author's initials in parentheses, such that your staff can directly communicate with that individual should any questions arise relative to the preparation of Canyon Fuel Company's response to that particular deficiency.

The plans as submitted are denied. We are returning the copies of the amendment application with this letter. Please resubmit the entire application.

Sincerely,

A handwritten signature in black ink, appearing to read "J.D. Smith".

James D. Smith
Permit Supervisor

PWBan
Attachment
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Deficiency List
Task ID #2954
4th East Coal Dust Baseline

The members of the review team include the following individuals:

Priscilla Burton (PB)
Steve Christensen (SC)

R645-301-121.300 and R645-301-526.222, The plan must include the following additions: (1) The application also includes the Division's 2004 inspection report as pages 5e through 5f. This is acceptable, although the Division requests that the information provided in the 2004 inspection report be transposed into a Excel spreadsheet table similar to that provided with the amendment. That way, a comparison of the data is made possible. Data collected during each annual inspection would be added to the table, such that each annual report would display data for each transect, from all previous monitoring years. (2) The application provides a sketch of the transects, Chap X-C page 5c. The sketch does not identify the monitoring sites using the currently available global positioning system (GPS) technology. GPS technology is requested, to ensure that the same site is revisited each year. 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 which is up to 3 mm thick at the site or it may be due to not relocating the original 2A site. The sketch should also include a north arrow and topographic information. (PWB)