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State of Utah
DEPARTMENT OF NATURAL RESOURCES
Division of Oil, Gas & Mining

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Outgoing
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#3535
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September 30, 2010

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

Subject: 2009 Annual Report Review, Emery Deep Mine, C/015/0015, Task ID #3535,
Outgoing File

Dear Mr. Gefferth:

For reasons that are unique to each Coal Mining and Reclamation Operation, many Permittees have committed to site-specific actions that are either time sensitive, are triggered by some mining operation or impact, or for some reason involve action beyond the expected compliance with the Coal Mining Rules. To assure compliance, these commitments to act are listed and tracked in the Annual Report Review until no longer required or applicable. Tracking these commitments through the Annual Report Review allows the Division to concisely and efficiently know how the Permittee has performed on these commitments and if further information or work is needed. The Annual Report Review is a vehicle for both the Permittee and the Division to assure that these commitments are not overlooked and left to fall between the cracks.

The Division staff has reviewed the information in your submittal of the 2009 Annual Report. Items that need to be addressed in order for the Division to complete the review are discussed below:

SUBSIDENCE MONITORING

- **Commitments and Conditions – Objective:** New monitoring points established over partial pillar sections will be resurveyed within six months after final mining has taken place beneath them (Chapter V page 36, Item 4).
- **Commitments and Conditions – Objective:** New monitoring points established over advancing sections such as mains and sub mains will be resurveyed within one year after mining has been completed beneath the station (Chapter V page 36, Item 5).

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The 2009 Annual Report for the Emery Deep Mine contains subsidence data sheets; however, the dates when points were established is not given, so it is not possible to determine whether points have been re-surveyed - within six months or a year after final mining - and that the Permittee has complied with this commitment.

Please provide the additional information by no later than November 1, 2010. If you have any questions, please call me at (801) 538-5262.

Sincerely,



James D. Smith
Permit Supervisor

JDS/sqs
Enclosure
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