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**CC:** "Gefferth, John" <JohnGefferth@consolenergy.com>  
**Date:** 4/5/2012 2:43 PM  
**Subject:** EmeryDeep.pdf  
**Attachments:** App A-1.pondcertdec2011.pdf; App DD-1.Annual Map 2011.pdf; App B-3.Consol Emery Mine dust plot table 2011.docx; App B-1.Consol Subsidence December 2011 Annual.xls; App A-2.2011 Refuse Inspections.pdf; EmeryDeep.pdf

The attached file contains data that was entered into a form. It is not the form itself.

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# Annual Report

This Annual Report shows information the Division has for your mine. Submit the completed document and any additional information identified in the Appendices to the Division by **March 30, 2012**. During a complete inspection an inspector will check and verify the information.

## GENERAL INFORMATION

Company Name	Consolidation Coal Company	Mine Name	Emery Deep Mine
Permit Number	C/015/0015	Permit expiration Date	
Operator Name		Phone Number	
Mailing Address		Email	
City			
State		Zip Code	

## DOGM File Location or Annual Report Location

Excess Spoil Piles	<input type="checkbox"/> Required <input checked="" type="checkbox"/> Not Required	
Refuse Piles	<input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required	See Appendix A-2 Annual Inspection
Impoundments	<input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required	See Appendix A-1 Annual Inspections, A-3 pond design capacity
Other:		

## OPERATOR COMMENTS

## REVIEWER COMMENTS

Met Requirements       Did Not meet Requirements

# COMMITMENTS AND CONDITIONS

The Permittee is responsible for ensuring annual technical commitments in the Mining and Reclamation Plan and conditions accepted with the permit are completed throughout the year. The Division has identified these commitments below and has provided space for you to report what you have done during the past year for each commitment. If additional written response is required, it should be filed as an attachment to this report.

## Title: CULTURAL RESOURCE PROTECTION

**Objective:** To monitor the five eligible cultural resource sites that could be damaged as a result of subsidence in the zero zero north area. Sites include: 42Em3964, 42Em3965, 42Em3969, and 42Em3974.

**Frequency:** Annually after undermining until the Division determines subsidence is no longer an impact.

**Status:** ongoing, Undermining has not occurred to date.

**Reports:** Annual

**Citation:** MRP, Confidential Binder, Chapter X, Part A, Page 1

### Operator Comments

Undermining has not occurred to date

Reviewer Comments  Met Requirements  Did Not Meet Requirements

## Title: CONTROL OF COAL FINES DEPOSITION

**Objective:** To prevent coal fines from accumulating on undisturbed soils.

**Frequency:** Annual inspection of three transects, three sample sites each for % coal, 5 live vegetative cover, and presence of cryptogammic cover and soil color. Include the name of the person collecting the data, soil color data, and cryptogram observation.

**Status:** Annual inspections should be ongoing during periods of production.

**Reports:** Annual report, build on the table provided in Chapter X-C, page 5, with the inclusion of a column for soil color.

**Citation:** MRP, Chapter X part C, page 5b.

### Operator Comments

Refer to Appendix B-3

Reviewer Comments  Met Requirements  Did Not Meet Requirements

**Title: INVESTIGATIVE STUDY INTO RECLAMATION PRACTICE**

**Objective:** To develop an enhanced reclamation plan, based on an evaluation of soil chemistry and vegetation establishment on previous reclaimed sites. (results located in Chapter 11, Appendix 1). This is a four-phase project. Phase I involves reporting on the investigation of past reclamation sites and practices at the mine. Phase II requires that, based on the Phase I investigations, and in consultation with DOGM, the permittee implement the best techniques demonstrated to be successful thus far. Phase III requires that the applied techniques be evaluated qualitatively annually and quantitatively between the 4th and 6th year. These evaluations will be correlated to precipitation data. Phase IV requires the permittee to revise the MRP to include the best technology for final revegetation.

**Frequency:** Ongoing

**Status:** Phase I has been met. Phase II is currently being developed in consultation with the Division.

**Reports:** Qualitative report annually, and quantitative report 4th and 6th year.

**Citation:** MRP, Chapter III, page 4a, and Chapter III, appendix 1

Operator Comments

Met in the field with the Division to develop a plan

Reviewer Comments  Met Requirements  Did Not Meet Requirements

**Title: WASTE STOCKPILE MATERIAL**

**Objective:** To identify chemical characteristics of material as it is placed on the Temporary Coal mine Waste Stockpile. Sample and analyze waste for acid toxic parameters in accordance with R645-301-731.300.

**Frequency:** One sample/600 cu yds of coal mine waste brought to the temporary stockpile.

**Status:** Ongoing

**Reports:** Provide analysis in annual report.

**Citation:** MRP, Chapter II, page 10.

Operator Comments

N/A

Reviewer Comments  Met Requirements  Did Not Meet Requirements

**Title: SUBSIDENCE MONITORING- MONTHLY INSPECTIONS**

**Objective:** Inspect the area outlined on Plate V-5 as full extraction areas when pillar splitting begins.

**Frequency:** Monthly until there is no record of additional subsidence.

**Status:** Ongoing

**Reports:** Track in annual report to ensure compliance. Resubmittal of monthly reports is not necessary if the operator has already submitted them. Division engineer will review reports annually to ensure compliance.

**Citation:** MRP, Chapter V, Binder 1 of 3, Page 36

Operator Comments

Monthly inspections are submitted to the division

Reviewer Comments  Met Requirements  Did Not Meet Requirements

**Title: SUBSIDENCE MONITORING- POINTS OVER PARTIAL PILLAR SECTIONS**

**Objective:** monitor points over partial pillar sections that have been resurveyed once and where no significant movement (<0.5') was found will be surveyed within one year. If this subsequent survey shows no significant movement from the original survey, the point will be surveyed again at one year intervals. Points over advancing sections need not be resurveyed unless there has been evidence that subsidence has taken place (caving).

**Frequency:** As needed

**Status:** Ongoing

**Reports:** Track in annual report to ensure compliance. Resubmittal of monthly reports is not necessary if the operator has already submitted them. Division engineer will review reports annually to ensure compliance.

**Citation:** MRP, Chapter V, binder 1 of 3, page 36.

Operator Comments

Refer to Appendix B-1

Reviewer Comments  Met Requirements  Did Not Meet Requirements

**Title: SUBSIDENCE MONITORING- NEW POINTS**

**Objective:** Resurvey new monitoring points established over advancing sections such as mains and submains within one year after mining has been completed beneath the station. Include dates that points were established to track if the points have been resurveyed within a year after mining has been completed.

**Frequency:** As needed.

**Status:** Ongoing.

**Reports:** Track in annual report to ensure compliance. Resubmittal of monthly reports is not necessary if the operator has already submitted them. Division engineer will review reports annually to ensure compliance.

**Citation:** MRP, Chapter V, binder 1 of 3, page 36.

Operator Comments

Refer to Appendix B-1

Reviewer Comments  Met Requirements  Did Not Meet Requirements

**Title: SUBSIDENCE MONITORING- REPORT**

**Objective:** Subsidence monitoring report containing: 1.) Mine maps showing where pillars have been pulled and the month and year that such pillars were removed or partially removed. 2.) Maps showing the location of survey monitoring stations and tension cracks and/or compression features visible on the surface. 2a.) Photographs of the subsidence monitoring points above the full extraction areas outlined on Plate V-5 to record pre and post subsidence. 3.) The differential level and horizontal survey summary and 4.) a narrative.

**Frequency:** As needed, report submitted to the Division annually.

**Status:** Ongoing

**Reports:** Provide report in annual report.

**Citation:** MRP, Chapter V, binder 1 of 3, page 37.

Operator Comments

Refer to Appendix B-1

Reviewer Comments     Met Requirements                       Did Not Meet Requirements

**Title: SUBSIDENCE MONITORING- PREMINING ELEVATIONS AND GRADIENTS**

**Objective:** Establish pre-mining elevations and gradients of any irrigation ditches and pond embankments within the angle of draw. The permittee will monitor these areas by visual inspection and post-subsidence ground survey to establish the effects of subsidence.

**Frequency:** As needed.

**Status:** Ongoing

**Reports:** Track in annual report to ensure compliance. Resubmittal of monthly reports is not necessary if the operator has already submitted them. Division engineer will review reports annually to ensure compliance.

**Citation:** MRP, Chapter V, binder 1 of 3, page 37.

Operator Comments

N/A

Reviewer Comments  Met Requirements  Did Not Meet Requirements

**Title: SUBSIDENCE MONITORING- MITIGATION REPORT**

**Objective:** Provide, to the Division on an as-needed basis, a subsidence mitigation report that describes the surface mitigation projects and their status broken down by surface land owners.

**Frequency:** quarterly

**Status:** Ongoing

**Reports:** Track in annual report to ensure compliance. Resubmittal of monthly reports is not necessary if the operator has already submitted them. Division engineer will review reports annually to ensure compliance.

**Citation:** MRP, Chapter V, binder 1 of 3, page 37.

Operator Comments

N/A

Reviewer Comments  Met Requirements  Did Not Meet Requirements

**Title: SUBSIDENCE MONITORING- UPDATE PRE-SUBSIDENCE SURVEY**

**Objective:** Update the existing pre-subsidence survey and plates six months before full extraction and provide copies to the surface land owner, the Division and the water conservancy district.

**Frequency:** As needed, six months prior to full extraction.

**Status:** Ongoing

**Reports:** Track in annual report to ensure compliance. Resubmittal of monthly reports is not necessary if the operator has already submitted them. Division engineer will review reports annually to ensure compliance.

**Citation:** MRP, Chapter V, binder 1 of 3, page 37.

Operator Comments

N/A

Reviewer Comments  Met Requirements  Did Not Meet Requirements

**Title: SUBSIDENCE MONITORING- RESURVEY NEW MONITORING POINTS**

**Objective:** Resurvey new monitoring points established over partial pillar sections within six months after final mining has taken place beneath them. Provide dates that points were established to track if the points have been resurveyed within six months after final mining.

**Frequency:** as needed

**Status:** Ongoing

**Reports:** Track in annual report to ensure compliance. Resubmittal of monthly reports is not necessary if the operator has already submitted them. Division engineer will review reports annually to ensure compliance.

**Citation:** MRP, Chapter V, binder 1 of 3, page 36.

Operator Comments

N/A

Reviewer Comments  Met Requirements  Did Not Meet Requirements

# FUTURE COMMITMENTS AND CONDITIONS

The following commitments are not required for the current annual report year, but will be required by the permittee in the future as indicated by the "status" field. These commitments are included for information only, and do not currently require action. If you feel that the commitment is no longer relevant or needs to be revised, please contact the Division.

**Title: SOIL SAMPLING AT 4TH EAST PORTAL**

**Objective:** Verify soil characteristics prior to final reclamation grading through sampling and analysis for pH, SAR, and EC with particular attention to those areas that were treated with dust suppressant.

**Frequency:** At final reclamation.

**Status:** At final reclamation.

**Reports:** report findings to Division.

**Citation:** MRP, Chapter III part C.1, page 11 and Appendix X, part C-3, page 24.

**Title: SOIL SAMPLING OF POND NO. 4 AND POND NO. 9**

**Objective:** To determine if evaporative salts have accumulated to a toxic level.

**Frequency:** at final reclamation

**Status:** at final reclamation.

**Reports:** report to the Division.

**Citation:** MRP, Chapter III, part C-1, page 12.

**Title: SOIL TESTING OF RECLAIMED SITE BEFORE SEEDING**

**Objective:** To verify the suitability of the growth media.

**Frequency:** At reclamation.

**Status:** At reclamation, before seeding.

**Reports:** report to Division.

**Citation:** MRP, Chapter VIII, part C-4, page 21, paragraph 1.

**OPERATOR COMMENTS (OPTIONAL)**

**REVIEWER COMMENTS**



# REPORTING OF OTHER TECHNICAL DATA

Please list other technical data or information that was not included in the form above, but is required under the approved plan, which must be periodically submitted to the Division.

Please list attachments:

B-2 Bryant (14th West) flow

Reviewer Comments

# MAPS

Copies of mine maps, current and up-to-date through at least December 31, 2011, are to be provided to the Division as an attachment to this report in accordance with the requirements of R645-301-525.240. The map copies shall be made in accordance with 30 CFR 75.1200 as required by MSHA. Mine maps are not considered confidential.

Map Name	Map Number	Included		Confidential	
		Yes	No	Yes	No
Annual subsidence map		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mine Map		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reviewer Comments  Met Requirements  Did Not Meet Requirements