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# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

### Division of Oil, Gas and Mining

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Division Director

November 5, 2013

Kerry Goodballet, Director of Permitting  
Consolidation Coal Company  
P.O. Box 566  
Sesser, Illinois 62884

Subject: Approval of Midterm Review Response, Task ID #4409, Consolidation Coal Company, Emery Deep Mine, C/015/0015

Dear Ms. Goodballet:

The Division of Oil, Gas and Mining has completed its review of the midterm deficiency responses that you submitted on October 9, 2013. The submittal is hereby approved. A stamped incorporated copy of the approved response is included for insertion into your copy of the Mining and Reclamation Plan.

Per your request (letter dated September 12, 2013), the Division also extends the deadline until spring of 2014 for addressing the first two deficiencies identified in the Division's letter dated July 3, 2013. Additionally, the Division welcomes the opportunity to convene a meeting this month to formulate a plan going forward relative to the vegetation and reclamation deficiencies. The deficiencies have been attached to this letter for your reference.

Feel free to contact myself (801) 538-5325 or Steve Christensen (801) 538-5350 to facilitate the meeting with Division staff this month.

Sincerely,

Daron Haddock  
Coal Program Manager

DRH/SKC/ss  
Enclosures  
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DOGM Staff:  
Priscilla Burton (PB)  
Joe Helfrich (JH)

**R645-301-241 and R645-301-341**, Chap III, p. 4a, item 2 states, "Based on findings from the investigative study, plans shall be developed to enhance the vegetation of each site." The following revisions should be made to the reclamation plan (as discussed during a site visit on October 11, 2011):

1. Stockpiles should be graded to gentle slopes (4h:1v) and have only shallow roughening, such as ripping on the contour, to allow water infiltration but to avoid water impoundment;
2. All sites should have 1 T/ac straw mulch incorporated with discing or ripping;
3. The seeded soil surface should be partially covered with a layer of wood-straw or gravel mulch to limit evaporation from the soil surface;
4. Subsoil and topsoil stockpiles should be fenced to keep out livestock.
5. Modify the seed mix to include only salt tolerant species and allow for a higher percentage shrubs and forbs that were noted to be successful. i.e. 4-wing saltbush, shadscale, gardner saltbush, mat saltbush, greasewood.
6. Adjust Reference Areas to eliminate duplication. (PB) (JH)

**R645-301-352**, The following locations should receive contemporaneous reclamation using the revised reclamation plan described above:

1. Lower the profile of pond 6 stockpiles, reseed and keep livestock off the piles.
2. Reclaim ponds 4 & 5 which serve no present function or modify the plan to retain these ponds improving the vegetation component for habitat improvement in accordance with R645-301-342.100.
3. Reclaim Pond 1 Subsoil Pile.

The Permittee should begin work on the above permitting revisions and contemporaneous reclamation tasks this field season (summer/fall 2013) to allow warm season planting and provide documentation of progress made towards achieving the above goals in the 2013 Annual Report. (PB) (JH)