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DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

July 1, 2014

Kerry Goodballet, Director of Permitting
CONSOL Mining Company, LLC
1000 CONSOL Energy Drive
Canonsburg, PA 15317

Subject: 2013 Annual Report Review Completion, Emery Deep Mine, C/0015/0015, Task ID #4548

Dear Ms. Goodballet:

The Division staff has completed the review of the 2013 Annual Report. Enclosed is a copy of the review with each reviewer's comments completed on July 1, 2014.

Thank you for your diligence in completing the Annual Report. If you have any questions, please call me at (801) 538-5325.

Sincerely,

Daron R. Haddock
Coal Program Manager

DRH/sqs
Enclosure
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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 the date specified by the cover letter. During a complete inspection an inspector will check and verify the information.

GENERAL INFORMATION			
Company Name	CONSOL Mining Company LLC	Mine Name	Emery Deep Mine
Permit Number	C/015/0015	Permit expiration Date	2016-01-07
Operator Name	CONSOL Mining Company LLC	Phone Number	+1 (724) 485-4267
Mailing Address	1000 CONSOL Energy Drive	Email	kerrygoodballet@consolenergy.com
City	Canonsburg		
State	PA	Zip Code	15317

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, Quarterly Coal Refuse Inspections
Impoundments	<input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required	See Appendix A-1, Annual Impoundment Inspections
Other:		

OPERATOR COMMENTS

Underground mining operations have been idle with no production since 12/17/10.

Appendix A-1, Annual Impoundment Inspections
 Appendix A-2 Quarterly Coal Refuse Inspections
 Appendix B-1 4th East Dust Monitoring
 Appendix B-2 Annual Subsidence Survey
 Appendix B-2a Monthly Subsidence Reports
 Appendix B-3 Bryant 14th West Flow
 Appendix B-4 Emery Town Well Report
 Appendix D-1 2010 Annual Report and final MSHA Mine Maps

REVIEWER COMMENTS Met Requirements Did Not meet Requirements

A review of the annual sediment pond inspections report was conducted. The existing sediment levels in sediment ponds 1,2,3,5,6,8&9 are all below the 60% sediment level for each individual pond. Minor maintenance work was listed as needing attention on Pond 5 and Pond 9. This work was completed with in a reasonable time following the inspection of September 18, 2014 by a Utah P.E. The report for each individual pond meets the requirements set forth for compliance (KRH).

The quarter refuse pile inspections reports contained within the annual report were reviewed. The inspections were performed on February 4, 2013 (1st Quarter), May, 18, 2013 (2nd Quarter), August 13, 2013 (3rd Quarter) and November 24, 2013 (4th Quarter). No hazardous conditions were noted on the reports. The reports meet the requirements set forth for compliance (KRH).

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

No mining occurred under these sites. Underground mining operations have been idle with no production since 12/17/10.

Reviewer Comments Met Requirements Did Not Meet Requirements

The Division concurs with the permittees assertion that no mining has occurred under the cultural resource sites.

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. The data could be more effectively displayed using an excel spreadsheet so that comparisons of the data and trends may be seen over time.

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-1 4th East Dust Monitoring. Underground mining operations have been idle with no production since 12/17/10.

Reviewer Comments Met Requirements Did Not Meet Requirements

Appendix B-1 begins on page 13 of the electronic annual report. The report provides data for the 2013 year only. The data should be more effectively displayed using an excel spreadsheet so that comparisons of the data and trends may be seen over time.

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 to lower the profile of pond 6 stockpiles, reseed and keep wildlife off piles; reclaim ponds 4 & 5, and pond 1 subsoil pile; adjust final reclamation plans to incorporate beneficial treatments observed such as discing in 1 T/ac straw mulch; modify the seed mix to include only salt tolerant species and allow for a higher percentage of shrubs and forbs; adjust the reference areas to eliminate duplication.

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.

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

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

Operator Comments

CONSOL representatives met with DOGM & Consultants to discuss in 2011 to develop a plan to address compliance and a field meeting is scheduled for early in 2014.

Reviewer Comments Met Requirements Did Not Meet Requirements

The Division has conducted a field meeting with Russel Jensen (Permittee) and Consultants : John Gefferth and Patrick Collins and Robert Long . A summary of that meeting was provided to Consol in Inspection Report # 3810. Subsequently, the interim seed mix was revised to reflect the saline conditions at the site. Consol is proceeding with Phase II of the reclamation study, initiating contemporaneous reclamation selected sites using the revised, salt tolerant, interim seed mix. (PWB 6/30/2014)

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

No additional mine waste has been added in 2013. Underground mining operations have been idle with no production since 12/17/10.

Reviewer Comments Met Requirements Did Not Meet Requirements

As the mine has been in temporary cessation since the fall of 2010, no additional material has been deposited on the waste stockpile material. (SKC, 6/24/2014)

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

Underground mining operations have been idle with no production since 12/17/10. Annual subsidence surveys were performed in 2013 (refer to Appendix B-2 Annual Subsidence Survey). Monthly subsidence reports of the 00 North subsidence area that was previously mitigated are underway and per DOGM email dated 10/12/13 copies of the monthly subsidence report are being emailed to DOGM and are compiled in the annual report at Appendix B-2A Monthly Subsidence Reports.

Reviewer Comments Met Requirements Did Not Meet Requirements

The report provided in Appendix B-2 meets the subsidence requirements of this commitment. Observed subsidence in full extraction areas has been repaired and mitigated. Mitigation measures have been documented with survey and photographic monitoring. (JCO)

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-2, 2012 Annual Subsidence Survey

Reviewer Comments Met Requirements Did Not Meet Requirements

The report provided in Appendix B-2 meets the subsidence requirements of this commitment. The maximum recorded subsidence is less than .03 feet. The movement is within expected ranges based on survey method and margin of error. Observed subsidence in full extraction areas has been repaired and mitigated. Mitigation measures have been documented with survey and photographic monitoring. (JCO)

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

N/A, Underground mining operations have been idle with no production since 12/17/10

Reviewer Comments Met Requirements Did Not Meet Requirements

There have been no new monitoring points established over advancing sections such as mains and sub-mains (JCO).

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

Underground mining operations have been idle with no production since 12/17/10. Annual subsidence surveys were performed in 2013 (refer to Appendix B-2, Annual Subsidence Survey). Monthly subsidence reports of the 00 North subsidence area that was previously mitigated are underway and per DOGM email dated 10/12/13 copies of the monthly subsidence report are being emailed to DOGM and are compiled in the annual report at Appendix B-2a Monthly Subsidence Report.

Reviewer Comments Met Requirements Did Not Meet Requirements

The report provided in Appendix B-2 meets the subsidence requirements of this commitment. A map was included to show the location of subsidence depressions that were observed. Observed subsidence in full extraction areas has been repaired and mitigated. Mitigation measures have been documented with survey and photographic monitoring. Before and after pictures are included. (JCO)

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, Underground mining operations have been idle with no production since 12/17/10.

Reviewer Comments Met Requirements Did Not Meet Requirements

There is no need to establish pre-mining elevations and gradients of any irrigation ditches and pond embankments within the angle of draw at this time due to the mine being idle. (JCO).

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

Underground mining operations have been idle with no production since 12/17/10. Annual subsidence surveys were performed in 2013 (refer to Appendix B-2, Annual Subsidence Report).

Monthly subsidence reports of the 00 North subsidence area that was previously mitigated are underway and per DOGM email dated 10/12/13 copies of the monthly subsidence report are being emailed to DOGM and are compiled in the annual report at Appendix B-2a Monthly Subsidence Report.

Monthly flow measurements of the dam breach panel 14th West (Bryant - 14th West) are being taken and data presented in Appendix B-3, Bryant 14th West Flow

Reviewer Comments Met Requirements Did Not Meet Requirements

The report provided in Appendix B-2 meets the subsidence requirements of this commitment. A map was included to show the location of subsidence depressions that were observed. Observed subsidence in full extraction areas has been repaired and mitigated. Mitigation measures have been documented with survey and photographic monitoring. Before and after pictures are included. (JCO)

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

Underground mining operations have been idle with no production since 12/17/10. No new pre-subsidence surveys required with idle underground mining operations

Reviewer Comments Met Requirements Did Not Meet Requirements

There has been no need to update the existing pre-subsidence survey and plates, due to the mine being idle. There has been no full or partial extraction during the past year (JCO).

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 for 2013, no new monitoring points established. Underground mining operations have been idle with no productions since 12/17/10

Reviewer Comments Met Requirements Did Not Meet Requirements

There have been no new monitoring points established over partial pillar areas. The report provided in Appendix B-2 meets the subsidence requirements of this commitment. Raw data is included to track the movement of subsidence areas. (JCO).

Title: EMERY TOWN WELL MONITORING

Objective: Consol commits to providing an annual report that evaluates the monitoring data collected from Emery Town Wells #1 and #2.

Frequency: Annually

Status: Ongoing

Reports: Annual Report

Citation: Chapter VI, page VI-56.

Operator Comments

Refer to Appendix B-4 for the Emery Town Well Update report dated 2/28/2014.

Reviewer Comments Did Not Meet Requirements Met Requirements

The Permittee submitted the annual update on the Emery Town wells as required by the approved mining and reclamation plan (MRP). (skc, 6/24/2014)

Title: MONITOR FIVE ELIGIBLE SITES IN THE ZERO ZERO NORTH AREA FOR IMPACTS FROM MINING

Objective: To monitor eligible cultural resource sites that could be damaged as a result of subsidence. Sites include: 42Em3964, 42Em3965, 42Em3966, 42Em3969, 42Em3974.

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

Status: Ongoing. Undermining was expected to occur in 2010.

Reports: Annual Report

Citation: MRP, Confidential, Chap. X, Part A. page1.

Operator Comments

These sites have not been undermined at this time.

Reviewer Comments Met Requirements Did Not Meet Requirements

As the mine has been in temporary cessation since the fall of 2010, no additional material has been deposited on the waste stockpile material. (SKC, 6/24/2014)

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.

Title: PERMANENT WASTE DISPOSAL SITE SUBSTITUTE TOPSOIL AND SUBSOIL COVER

Objective: To determine how to segregate best available material within the disturbed area for use as substitute topsoil from less desirable material to be used as cover over the coal mine waste permanent disposal site.

Frequency: Prior to construction of permanent disposal site, Consol will resample the gravel pit site for topsoil substitute quality and quantity, and cover material quality. The site will be sampled on one sample per acre grid, with analysis on one foot

Status: Future Commitment

Reports: report to Division.

Citation: MRP, Chap VII, App. VII-2, pg. 2

Title: IDENTIFY CHEMICAL CHARACTERISTICS OF COAL MINE WASTE PRIOR TO FINAL BURIAL OR TREATMENT

Objective: In accordance with R645-301-731.300, determine chemical characteristics of coal mine waste in existing temporary coal mine waste stockpile. Commitment to core temporary pile in at least 5 locations and analyze waste in 5 ft. intervals for pH, EC, SAR, Acid Base Accounting, Se, B, and texture.

Frequency: One year prior to moving the waste

Status: Future Commitment

Reports: report to Division.

Citation: MRP, Chap III, pg. 13

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:

Reviewer Comments

MAPS

Copies of mine maps, current and up-to-date, 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 MSHA Map and 2010 Annual Report 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

The required maps were provided. A mine map was included. A complete subsidence map was not included, but a map of specific areas where subsidence has been observed and mitigated was included. (JCO).