

U.S. Department of Labor

Mine Safety and Health Administration  
P.O. Box 25367  
Denver, Colorado 80225-0367

Coal Mine Safety and Health  
District 9

FEB 25 2008

FS RECEIVED R2  
FEB 27 2008  
PHYSICAL RESOURCES

Mr. Charles Richmond  
Forest Supervisor  
Grand Mesa-Uncompahgre-Gunnison National Forest  
2250 Highway 50  
Delta, CO 81416

Dear Mr. Richmond:

There have been inquiries as to whether my office will approve flaring of methane gas venting from de-gas wells that are proposed to be installed in the e-seam longwall panel at Mountain Coal Company's West Elk Mine located near Somerset, Colorado.

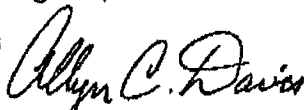
In looking into this issue, I am aware of the Conceptual Design for a Coal Mine Gob Well Flare, dated August 1999 and prepared by the Coalbed Methane Outreach Program, Atmospheric Pollution Prevention Division of the U.S. Environmental Protection Agency. I am also aware of e-mails between Liane Madsen of the U.S. Forest Service and Hubert Sherer of the Mine Safety and Health Administration (MSHA) in which it was stated that there is no MSHA regulation preventing flaring of methane gas at a coal mine.

The District 9 Office of MSHA has the responsibility of approving mining plans for all coal mines in the western part of the United States. We have approved mining plans submitted by the West Elk Mine for longwall mining in the E-seam. Experience in 7 to 8 years of longwall mining at the West Elk Mine has proven that methane drainage is an essential element of their mine ventilation system. The mine fans alone are not capable of adequately handling the methane encountered in the seams being mined in order to provide a safe and secure environment for miners who work underground. We have already advised the West Elk management that we cannot approve future longwall panels without sufficient de-gas wells to control methane.

Recently the potential use of a flaring system was discussed. In review of the documents regarding the conceptual design of such a system we have determined that too many unknowns about this system exist at the present time to approve such a system and have advised the operator as such. This office must do its up-most to ensure the safety of persons working underground and any flaring system envisioned that is more or less directly connected to the active gob where miners work must have been fully evaluated by MSHA and determined to be of a safe design. Any such system design should be tested in a coal mine methane flaring situation in which no miners are exposed, such as a sealed and abandoned mine, for sufficient time to test the viability and durability of the system and ensure it has zero potential to cause the ignition of gas underground before this office would consider incorporating it into an active mine ventilation system. There are too many questions remaining unanswered, no evaluations and no actual testing in a no-risk mine type situation that demonstrates the system's safety for this office to approve the incorporation of such a system into the ventilation plan at the West Elk Mine at the present time.

If you have any further questions, please contact me at 303 231-5458.

Regards,



Allyn Davis  
District Manager