



GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

February 21, 2014

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

Subject: Approval of Permit Transfers, Hidden Valley Mine, C/015/0007, Task ID #4495 and Emery Deep Mine, C/015/0015, Task ID #4496

Dear Ms. Goodballet:

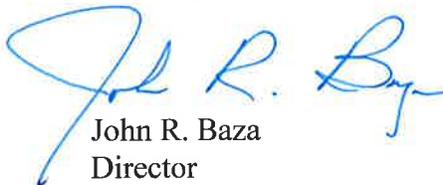
The permit transfers for the CONSOL Mining Company, LLC permits are approved. Enclosed are two (2) copies of the revised permanent program permits. Please note the special conditions attached. Please have both permits signed by the designated signatory authority and return one signed copy of each permit to the Division.

Also enclosed are copies of the fully-signed and executed Reclamation Agreements.

At this time, please submit 2 clean copies of the Hidden Valley Mine revisions and 2 clean copies of the Emery Deep Mine revisions prepared for incorporation by no later than March 28, 2014. A stamped incorporated copy of the revisions that reflect the new ownership and control will be returned to you for insertion into the MRPs.

Good luck in your mining endeavors. If you have any questions, please call me at (801) 538-5334 or Daron Haddock at (801) 538-5325.

Sincerely,



John R. Baza
Director

JRB/DRH/sqs

Enclosures

O:\015007.HID\PERMIT\2014Transfer\BazaLetter.doc



**UTAH DIVISION OF OIL, GAS AND MINING
STATE DECISION DOCUMENT
For
PERMIT TRANSFER**

**CONSOL Mining Company, LLC
Emery Deep Mine
C/015/0015
Emery County, Utah**

February 21, 2014

CONTENTS

- * Administrative Overview
- * Permitting Chronology
- * Findings
- * Permit
- * Affidavit of Publication
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ADMINISTRATIVE OVERVIEW

CONSOL Mining Company, LLC
Emery Deep Mine
C/015/0015
Emery County, Utah

February 21, 2014

PROPOSAL

The Emery Deep Permit currently held by Consolidation Coal Company will be transferred to the CONSOL Mining Company, LLC.

BACKGROUND

The Emery Deep Mine is owned by Consolidation Coal Company (Consol). This mine is located in Emery County at the confluence of Quitchapah Creek and Christiansen Wash, approximately four miles south of the town of Emery.

There is a long history of mining in this area. Prior to August 3, 1977, permitted underground coal mining activity was being conducted in Sections 28, 29, 32, and 33 of T22S, R6E. A permanent program permit was issued January 7, 1986 for the Emery Deep Mine and permits were renewed in 1991, 1996, 2001, 2006 and 2011.

Due to economic conditions, the Emery Deep Mine was in temporary cessation from 1990 to 2002. Prior to stopping production, the mine was producing approximately 700,000 tons per year. In June 2002, mining commenced on the Fourth East Portal to meet diligence obligations for federal leases associated with the Emery Deep Mine. This diligence was met on June 11, 2003. The mine stopped production temporarily in late 2003 and then started mining again on August 9, 2004 and was producing over one million tons per year. Due to the poor market conditions, the mine was again shut down in 2011. DOGM was notified in a letter dated February 16, 2011 that the mine would be placed in temporary cessation.

A transfer application that will assign the permit to CONSOL Mining Company, LLC was received on January 6, 2014 and approved February 21, 2014.

PUBLIC NOTICE

The applicant published notice for the permit transfer on January 21, 2014 in the Emery County Progress. No comments, objections, or requests for informal conference were received by the Division during the 30-day comment period.

AVS CHECK

A review of the AVS system was conducted on February 19, 2014. The system showed that there were no unsettled violations for Consolidation Coal Company or CONSOL Mining Company, LLC. CONSOL Mining Company, LLC is clear to receive a permit.

RECOMMENDATION

The Division made the decision on February 21, 2014 to approve the permit transfer on the fact that 1) The terms and conditions of the existing permit are being satisfactorily met; 2) The present coal mining and reclamation operations are in compliance with the environmental protection standards of the State Program; 3) The transfer does not substantially jeopardize the operator's continuing ability to comply with the State Program on existing permit areas; and 4) The operator has provided evidence of having liability insurance and a performance bond which will be in effect for the operation and will continue in full force and effect.

PERMITTING CHRONOLOGY

CONSOL Mining Company, LLC
Emery Deep Mine
C/015/0015
Emery County, Utah

February 21, 2014

January 6, 2014	CONSOL Mining Company, LLC submits the permit transfer application.
January 21, 2014	CONSOL Mining Company, LLC advertises public notice of permit transfer for the Emery Deep Mine in the Emery County Progress.
February 21, 2014	CONSOL Mining Company, LLC posts reclamation bond with the Division in the amount of \$3,510,000 and it is accepted by the Division.
February 19, 2014	A compliance check through the AVS system is completed showing no unsettled violations for either Consolidation Coal Company or CONSOL Mining Company, LLC.
February 21, 2014	No comments received.
February 21, 2014	Division approves the transfer of the Emery Deep Mine permit.

PERMIT TRANSFER FINDINGS

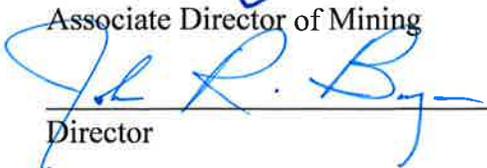
Emery Deep Mine Permit Transfer
CONSOL Mining Company, LLC
C/015/0007
Emery County, Utah

February 21, 2014

1. The permit transfer application was submitted and contained all of the information required under R645-303-321.
2. The application for transfer was advertised in a newspaper of general circulation. (Published January 21, 2014) (R645-303-322).
3. The applicant is eligible to receive a permit. (See AVS Evaluation dated February 19, 2014.)
4. The public was provided opportunity to provide comment on the transfer application through advertisement in the local newspaper. No comments were received. (R645-303-330).
5. The permittee has provided evidence of maintaining liability insurance (Steadfast Insurance Company #BOG9377215-10) (R645-303-233.140).
6. The operator has posted a reclamation surety in the required amount and has provided evidence that the surety will remain in full effect for the permit period. (Argonaut Insurance Company #SUR0022666 in the amount of \$3,510,000). (R645-303-342).
7. The operator has submitted all information as required to date, by the Division for this transfer. (R645-303-343).



Permit Supervisor



Associate Director of Mining

Director

FEDERAL

PERMIT
C/015/0015

February 21, 2014

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84114-5801

This permit, C/015/0015, is issued for the state of Utah by the Utah Division of Oil, Gas and Mining (Division) to:

CONSOL Mining Company, LLC
1000 CONSOL Energy Drive
Canonsburg, Pennsylvania 15317
(724) 485-4000

for the Emery Deep Mine. A surety performance bond in the amount of \$3,510,000 payable to the State of Utah, Division of Oil, Gas and Mining and the United States Department of Interior, Office of Surface Mining Reclamation and Enforcement is filed with the Division. Consolidation Coal Company is the lessee of federal coal lease U-5287 and the lessee of certain fee-owned parcels in Sections 29 and 30, Township 22 South, Range 6 East, SLBM.

- Sec. 1 STATUTES AND REGULATIONS** - This permit is issued pursuant to the Utah Coal Mining and Reclamation Act of 1979, Utah Code Annotated (UCA) 40-10-1 et seq, hereafter referred to as the Act.
- Sec. 2 PERMIT AREA** - The permittee is authorized to conduct surface disturbing activities only as described in the approved Mining and Reclamation Plan and within areas covered by the Performance Bond which are within the described permit area at the Emery Deep Mine, situated in the state of Utah, Emery County, and located as follows:
- Township 22 South, Range 6 East, SLBM**
- Section 27:** portions of NW1/4, SW1/4, and NE1/4
Section 30: portions of NE1/4
Section 32: portions of NW1/4, NE1/4 and SE1/4
Section 33: portions of NW1/4, NE1/4 and SW1/4
- Sec. 3 AUTHORIZED MINING AREA** - The permittee is authorized to conduct underground coal mining and reclamation activities only as described in the approved Mining and Reclamation Plan and on lands where the "Right-of-Entry" has been acquired. This area includes the area above underground works and areas subject to subsidence and is described as follows:

Township 22 South, Range 6 East, SLBM

- Section 19:** S1/2 NE1/4, E1/2 SW1/4, and SE1/4;
Section 20: S1/2 NE1/4, SE1/4 NW1/4 and S1/2;
Section 21: S1/2 N1/2 and S1/2;
Section 22: SW1/4 SW1/4;
Section 27: W1/2;
Sections 28,
29, 31, 32: All
Section 30: All except NW1/4 NW1/4, S1/2 NW1/4 SW1/4 and SW1/4 SW1/4; and
Section 33: N1/2 and SW1/4.

This legal description is for the authorized mining area of the Emery Deep Mine. The permittee is authorized to conduct coal mining and reclamation operations connected with mining on the foregoing described property subject to the conditions of the leases, the approved mining plan, including all conditions and all other applicable conditions, laws and regulations.

- Sec. 3 COMPLIANCE** - The permittee will comply with the terms and conditions of the permit, all applicable performance standards and requirements of the State Program.
- Sec. 4 PERMIT TERM** - This permit expires on January 7, 2016.
- Sec. 5 ASSIGNMENT OF PERMIT RIGHTS** - The permit rights may not be transferred, assigned or sold without the approval of the Division Director. Transfer, assignment or sale of permit rights must be done in accordance with applicable regulations, including but not limited to 30 CFR 740.13 {e} and R645-303.
- Sec. 6 RIGHT OF ENTRY** - The permittee shall allow the authorized representative of the Division, including but not limited to inspectors, and representatives of the OSMRE, without advance notice or a search warrant, upon presentation of appropriate credentials, and without delay to:
- (a) Have the rights of entry provided for in 30 CFR 840.12, R645-400-110, 30 CFR 842.13 and R645-400-220;
 - (b) Be accompanied by private persons for the purpose of conducting an inspection

in accordance with R645-400-210 and 30 CFR 842, when the inspection is in response to an alleged violation reported to the Division by the private person.

- Sec. 7 SCOPE OF OPERATIONS** - The permittee shall conduct surface disturbing activities only on those lands specifically designated as within the permit area (in section 2 above) on the maps submitted in the approved plan and approved for the term of the permit and which are subject to the performance bond. All coal mining and reclamation operations are to be conducted within the bounds of the authorized mining area.
- Sec. 8 ENVIRONMENTAL IMPACTS** - The permittee shall minimize any adverse impact to the environment or public health and safety through but not limited to:
- (a) Any accelerated monitoring to determine the nature and extent of noncompliance and the results of the noncompliance;
 - (b) Immediate implementation of measures necessary to comply; and
 - (c) Warning, as soon as possible after learning of such noncompliance, any person whose health and safety is in imminent danger due to the noncompliance.
- Sec. 9 DISPOSAL OF POLLUTANTS** - The permittee shall dispose of solids, sludge, filter backwash or pollutants in the course of treatment or control of waters or emissions to the air in the manner required by the approved Utah State Program and the Federal Lands Program which prevents violation of any applicable state or federal law.
- Sec. 10 CONDUCT OF OPERATIONS** - The permittee shall conduct its operations:
- (a) In accordance with the terms of the permit to prevent significant, imminent environmental harm to the health and safety of the public; and
 - (b) Utilizing methods specified as conditions of the permit by DOGM in approving alternative methods of compliance with the performance standards of the Act, the approved Utah State Program and the Federal Lands Program.
- Sec. 11 EXISTING STRUCTURES** - As applicable, the permittee will comply with R645-301 and R645-302 for compliance, modification, or abandonment of existing structures.

- Sec. 12 RECLAMATION FEE PAYMENTS** - The operator shall pay all reclamation fees required by 30 CFR Part 870 for coal produced under the permit, for sale, transfer or use.
- Sec. 13 AUTHORIZED AGENT** - The permittee shall provide the names, addresses and telephone numbers of persons responsible for operations under the permit to whom notices and orders are to be delivered.
- Sec. 14 COMPLIANCE WITH OTHER LAWS** - The permittee shall comply with the provisions of the Water Pollution Control Act (33 USC 1151 et seq), and the Clean Air Act (42 USC 7401 et seq), UCA 26-11-1 et seq, and UCA 26-13-1 et seq.
- Sec. 15 PERMIT RENEWAL** - Upon expiration, this permit may be renewed for areas within the boundaries of the existing permit in accordance with the Act, the approved Utah State Program and the Federal Lands Program.
- Sec. 16 CULTURAL RESOURCES** - If during the course of mining operations, previously unidentified cultural resources are discovered, the permittee shall ensure that the site(s) is not disturbed and shall notify the Division. The Division, after coordination with OSMRE, shall inform the permittee of necessary actions required. The permittee shall implement the mitigation measures required by the Division within the time frame specified by the Division.
- Sec. 17 APPEALS** - The permittee shall have the right to appeal as provided for under R645-300.
- Sec. 18 SPECIAL CONDITIONS** - There are special conditions associated with this permitting action, as described in Attachment A.

The above conditions (Secs. 1-18) are also imposed upon the permittee's agents and employees. The failure or refusal of any of these persons to comply with these conditions shall be deemed a failure of the permittee to comply with the terms of this permit and the lease. The permittee shall require his agents, contractors and subcontractors involved in activities concerning this permit to include these conditions in the contracts between and among them. These conditions may be revised or amended, in writing, by the mutual consent of the Division and the permittee at any time to adjust to changed conditions or to correct an oversight. The Division may amend these conditions at any time without the consent of the permittee in order to make them consistent with any federal or state statutes and any regulations.

THE STATE OF UTAH

By: John R. Boyer
Date: 2/21/2014

I certify that I have read, understand and accept the requirements of this permit and any special conditions attached.

Authorized Representative of the Permittee

Date: _____

ATTACHMENT A
Special Conditions

1. Consolidation Coal Company will submit surface and ground water quality data for the Emery Deep Mine on a quarterly basis in an electronic format through the Electronic Data Input web site, <http://linux1.ogm.utah.gov/cgi-bin/appx-ogm.cgi>

AFFIDAVIT OF PUBLICATION

STATE OF UTAH)

ss.

County of Emery,)

I, Richard Shaw, on oath, say that I am the Publisher of the Emery County Progress, a weekly newspaper of general circulation, published at Castle Dale, State of Utah and County aforesaid, and that a certain notice, a true copy of which is hereto attached, was published in the full issue of such newspaper for 1 (One) consecutive issues, and on the Utah legals.com website; the first publication was on the 21st day of January, 2014, and that the last publication of such notice was in the issue of such newspaper dated the 21st day of January, 2014.



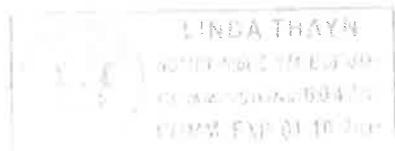
Richard Shaw – Publisher

Subscribed and sworn to before me this 21st day of January 2014.



Notary Public My commission expires January 10, 2015 Residing at Price, Utah

Publication fee, \$ 102.00

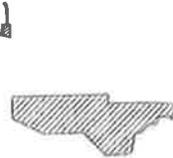


NOTICE

Notice is hereby given that CONSOL Mining Company LLC (CMC), 1000 Consol Energy Drive Canonsburg, PA 15317 has filed application with the State of Utah, Department of Natural Resources, Division of Oil, Gas and Mining for a permit transfer of Permit No. ACT/015/015 from Consolidation Coal Company (CCC) to CMC. CMC will operate the Emery Mine under the provisions of the Utah Coal Mining and Reclamation Act and the Utah R645 Coal Mining Rules.

The permit area, as shown on the map below, is located on U.S. Geological Survey 7.5 minute quadrangle map as follows:

- Township 22 South, Range 6 East
- Section 27: portions of NW/4, SW/4, NE/4
- Section 30: portions of NE/4
- Section 32: portions of NW/4, NE/4, SE/4
- Section 33: portions of NW/4, NE/4, SW/4



Copies of the application for this permit are available for inspection at:

Emery County Recorder's Office	Utah Division of Oil, Gas and Mining
Emery County Courthouse	Coal Program
Castle Dale, Utah 84513	1594 West North Temple,
	Suite 1210
	P.O. Box 145801
	Salt Lake City, Utah 84114-5801

Written comments on this application should be submitted to the State of Utah, Division of Oil, gas & Mining at the above address. Such comments should be filed within thirty (30) days from the date of the last publication of this notice.

Published in the Emery County Progress January 21, 2014.



GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

February 19, 2014

TO: Internal File

FROM: Daron R. Haddock, Permit Supervisor 

RE: Compliance Review for Section 510 (c) Findings, CONSOL Mining Company, LLC Permits

As of the writing of this memo, there are no NOV'S or CO's which are not corrected or in the process of being corrected. There are no finalized Civil Penalties, which are outstanding and overdue in the name of Consolidation Coal Company or CONSOL Mining Company, LLC. CONSOL Mining Company, LLC nor Consolidation Coal Company demonstrate a pattern of willful violations, or have they been subject to any bond forfeitures for any operation in the state of Utah.

The recommendation from the Applicant Violator System (AVS) denotes that all connected entities either do not have any civil penalties or are under a settlement agreement (attached).

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Application Evaluation

Application Number

C0150015 SEQ:6

Applicant Name

254801 CONSOL Mining Company LLC

Date Of Narrative

2/19/2014 9:57:34 AM

Requestor

suzanne.steab

CAUTION: The Applicant/Violator System (AVS) is an informational database. Permit eligibility determinations are made by the regulatory authority with jurisdiction over the permit application not by the AVS. Results which display outstanding violations may not include critical information about settlements or other conditions that affect permit eligibility. Consult the AVS Office at 800-643-9748 for verification of information prior to making decisions on these results.

18 Violations Found.

1: Bond Forfeiture	2985329	KY	Permit:2985329	Outstanding	5/14/1987
Violator 1:	078176 Adkins & Webb Inc				
2: State Civil Penalty	053004	KY	Permit:2985329	Outstanding	3/27/1986
Violator 1:	078176 Adkins & Webb Inc				
3: Bond Forfeiture	2985332	KY	Permit:2985332	Outstanding	8/19/1988
Violator 1:	108056 J & H Coal Co				
4: State Civil Penalty	053764	KY	Permit:2985332	Outstanding	9/18/1987
Violator 1:	108056 J & H Coal Co				
5: State Civil Penalty	054149	KY	Permit:2985332	Outstanding	3/28/1988
Violator 1:	108056 J & H Coal Co				
6: Bond Forfeiture	4985319	KY	Permit:4985319	Outstanding	1/20/1989
Violator 1:	034732 Price Coal Co				
7: State Civil Penalty	053671	KY	Permit:4985319	Outstanding	5/22/1987
Violator 1:	034732 Price Coal Co				
8: State Civil Penalty	054020	KY	Permit:4985319	Outstanding	4/26/1988
Violator 1:	034732 Price Coal Co				
9: State Civil Penalty	054058	KY	Permit:4985319	Outstanding	11/20/1987
Violator 1:	034732 Price Coal Co				
10: State Civil Penalty	054148	KY	Permit:4985319	Outstanding	3/24/1988
Violator 1:	034732 Price Coal Co				
11: State Civil Penalty	054323	KY	Permit:4985319	Outstanding	6/15/1988
Violator 1:	034732 Price Coal Co				
12: Bond Forfeiture	6985333	KY	Permit:6985333	Outstanding	1/16/1990
Violator 1:	108056 J & H Coal Co				
13: State Civil Penalty	053568	KY	Permit:6985333	Outstanding	6/5/1987
Violator 1:	108056 J & H Coal Co				
14: State Civil Penalty	053757	KY	Permit:6985333	Outstanding	7/6/1987
Violator 1:	108056 J & H Coal Co				
15: State Civil Penalty	053934	KY	Permit:6985333	Outstanding	10/2/1987
Violator 1:	108056 J & H Coal Co				
16: State Civil Penalty	054316	KY	Permit:6985333	Outstanding	3/28/1988
Violator 1:	108056 J & H Coal Co				
17: State Civil Penalty	054442	KY	Permit:6985333	Outstanding	6/15/1988
Violator 1:	108056 J & H Coal Co				
18: State Civil Penalty	504587	KY	Permit:8985157	Outstanding	8/23/1988
Violator 1:	007928 Past Coal Company Incorporated				

Evaluation OFT

Entities: 50

124819 Consol Energy Inc - ()
 ---118427 J Brett Harvey - (Chairman of the Board)
 ---118427 J Brett Harvey - (Chief Executive Officer)
 ---118427 J Brett Harvey - (Director)

---122200 Randall M Albert - (Chief Operations Officer)
 ---125002 Phillip W Baxter - (Director)
 ---128701 John T Mills - (Director)
 ---132175 John M Reilly - (Treasurer)
 ---132175 John M Reilly - (Vice President)
 ---133137 James J Mccaffrey - (Senior Vice President)
 ---134639 Barry M Miller - (Vice President)
 ---135906 Bart J Hyita - (Chief Operations Officer)
 ---146302 Raj K Gupta - (Director)
 ---146635 Joseph T Williams - (Director)
 ---152005 Nicholas J Deuliis - (President)
 ---154540 James E Altmeyer Sr - (Director)
 ---154541 William E Davis - (Director)
 ---154543 William P Powell - (Director)
 ---154545 Jack K Richardson - (Vice President)
 ---156239 Lorraine L Ritter - (Controller)
 ---156239 Lorraine L Ritter - (Vice President)
 ---157830 David C Hardesty Jr - (Director)
 ---158031 Louis Barletta Jr - (Vice President)
 ---158087 Lu Ann Datesh - (Vice President)
 ---158110 Stephanie L Gill - (General Counsel)
 ---158110 Stephanie L Gill - (Secretary)
 ---158110 Stephanie L Gill - (Vice President)
 ---158150 James A Brock - (Chief Operations Officer)
 ---158931 George F Rosato - (Vice President)
 ---246813 James C Grech - (Corporate Officer)
 ---246813 James C Grech - (Executive Vice President)
 ---247137 Steven E Winberg - (Vice President)
 ---247139 Charles T Shaynak - (Senior Vice President)
 ---247471 Thomas O Johnson - (Vice President)
 ---248725 Stephen W Johnson - (Corporate Officer)
 ---248725 Stephen W Johnson - (Executive Vice President)
 ---248744 William D Gillenwater - (Vice President)
 ---248745 Darryl M Husenits - (Vice President)
 ---248746 M Charles Hardoby - (Vice President)
 ---248748 J Michael Onifer - (Senior Vice President)
 ---248777 David W Kelly - (Vice President)
 ---249573 Daniel Zajdel - (Vice President)
 ---250342 Richard K Elswick - (Vice President)
 ---250343 Christopher Powell - (Vice President)
 ---251249 Katharine A Fredriksen - (Senior Vice President)
 ---252387 Kurt R Salvatori - (Vice President)
 ---252640 Donald Rush - (Vice President)
 ---252912 David M Khani - (Chief Financial Officer)
 ---252912 David M Khani - (Executive Vice President)
 ---253847 Samuel McLaughlin - (Vice President)
 ---253848 Christopher T Marsh - (Vice President)
 ---254362 Alvin R Carpenter - (Director)
 ---254363 Maureen E Lally-Green - (Director)
 ---254802 CONSOL Mining Holding Company LLC - (Subsidiary Company)
 -----118427 J Brett Harvey - (Chairman of the Board)
 -----118427 J Brett Harvey - (Chief Executive Officer)
 -----135906 Bart J Hyita - (Chief Operations Officer)
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 -----253845 Steve T Aspinall - (Treasurer)
 ---254856 John A Owsiany - (Vice President)
 ---254860 Samuel H Johnson - (Vice President)

Narrative 02/19/2014 Violations 1-18 are under Island Creek settlement. Linking entities are Consol Energy Inc, etc. lk

**UTAH DIVISION OF OIL, GAS AND MINING
STATE DECISION DOCUMENT
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**CONSOL Mining Company, LLC
Hidden Valley Mine
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February 21, 2014

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CONSOL Mining Company, LLC
Hidden Valley Mine
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Emery County, Utah

February 21, 2014

PROPOSAL

The Hidden Valley Permit currently held by Consolidation Coal Company will be transferred to the CONSOL Mining Company, LLC.

BACKGROUND

The Hidden Valley Mine is located in Emery County about three miles east of Highway 10 in Township 23 South, Range 6 East, SLBM, Sections 17 and 18. This coal mine never operated as a commercial venture. The original reclamation permit was issued January 29, 1987. Reclamation was performed during that year. Phase I bond release was determined effective on June 17, 1988. The current bond liability at the Hidden Valley Mine is \$112,000.

A revised postmining land use was approved April 27, 1991. The first permit renewal was approved on January 30, 1992. The reclamation permit was transferred from Hidden Valley Coal Company to Consolidation Coal Company on November 2, 1995. The permit was successively renewed on January 29, 1997, January 29, 2002, January 29, 2007 and January 29, 2012.

A transfer application that will assign the permit to CONSOL Mining Company, LLC was received on January 6, 2014 and approved February 21, 2014.

PUBLIC NOTICE

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RECOMMENDATION

The Division made the decision on February 21, 2014 to approve the permit transfer on the fact that 1) The terms and conditions of the existing permit are being satisfactorily met; 2) The present coal mining and reclamation operations are in compliance with the environmental protection standards of the State Program; 3) The transfer does not substantially jeopardize the operator's continuing ability to comply with the State Program on existing permit areas; and 4) The operator has provided evidence of having liability insurance and a performance bond which will be in effect for the operation and will continue in full force and effect.

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January 21, 2014	CONSOL Mining Company, LLC advertises public notice of permit transfer for the Hidden Valley Mine in the Emery County Progress.
February 14, 2014	CONSOL Mining Company, LLC posts reclamation bond with the Division in the amount of \$112,000 and it is accepted by the Division.
February 19, 2014	A compliance check through the AVS system is completed showing no unsettled violations for either Consolidation Coal Company or CONSOL Mining Company, LLC.
February 21, 2014	No comments received.
February 21, 2014	Division approves the transfer of the Hidden Valley Mine permit.

PERMIT TRANSFER FINDINGS

Hidden Valley Mine Permit Transfer
CONSOL Mining Company, LLC
C/015/0007
Emery County, Utah

February 21, 2014

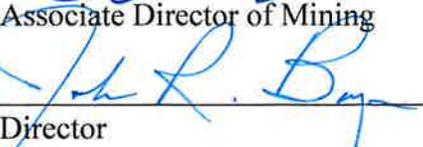
1. The permit transfer application was submitted and contained all of the information required under R645-303-321.
2. The application for transfer was advertised in a newspaper of general circulation. (Published January 21, 2014) (R645-303-322).
3. The applicant is eligible to receive a permit. (See AVS Evaluation dated February 19, 2014.)
4. The public was provided opportunity to provide comment on the transfer application through advertisement in the local newspaper. No comments were received. (R645-303-330).
5. The permittee has provided evidence of maintaining liability insurance (Steadfast Insurance Company #BOG9377215-10) (R645-303-233.140).
6. The operator has posted a reclamation surety in the required amount and has provided evidence that the surety will remain in full effect for the permit period. (Argonaut Insurance Company #SUR002267 in the amount of \$112,000). (R645-303-342).
7. The operator has submitted all information as required to date, by the Division for this transfer. (R645-303-343).



Permit Supervisor



Associate Director of Mining



Director

NON-FEDERAL

Permit Number
C/015/0007

February 21, 2014

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84114-5801
(801) 538-5340

This permit, C/015/0007, is issued for the state of Utah by the Utah Division of Oil, Gas and Mining (DOGGM) to:

CONSOL Mining Company, LLC
1000 CONSOL Energy Drive
Canonsburg, PA 15317
(724) 485-4000

for the Hidden Valley Mine. A Surety Bond is filed with the Division in the amount of \$112,000, payable to the State of Utah, Division of Oil, Gas and Mining. DOGM must receive a copy of this permit signed and dated by the permittee.

Sec. 1 STATUTES AND REGULATIONS - This permit is issued pursuant to the Utah Coal Mining and Reclamation Act of 1979, Utah Code Annotated (UCA) 40-10-1 et seq, hereafter referred to as the Act.

Sec. 2 PERMIT AREA - The permittee is authorized to conduct reclamation activities on the following described lands within the permit area at the Hidden Valley Mine, situated in the state of Utah, Emery County, and located:

Township 23 South, Range 6 East, SLBM

Section 17: W1/2

Section 18: All

This legal description is for the permit area of the Hidden Valley Mine. The permittee is authorized to conduct reclamation activities on the foregoing described property subject to the conditions of all applicable conditions, laws and regulations.

Sec. 3 COMPLIANCE - The permittee will comply with the terms and conditions of the permit, all applicable performance standards and requirements of the State Program.

Sec. 4 PERMIT TERM - This permit expires on January 29, 2017.

- Sec. 5 ASSIGNMENT OF PERMIT RIGHTS** - The permit rights may not be transferred, assigned or sold without the prior written approval of the Director, DOGM. Transfer, assignment or sale of permit rights must be done in accordance with applicable regulations, including but not limited to 30 CFR 740.13{e} and R645-303-300.
- Sec. 6 RIGHT OF ENTRY** - The permittee shall allow the authorized representative of the DOGM, including but not limited to inspectors, and representatives of the OSMRE, without advance notice or a search warrant, upon presentation of appropriate credentials, and without delay to:
- (a) Have the rights of entry provided for in 30 CFR 840.12, R645-400-110, 30 CFR 842.13 and R645-400-220; and,
 - (b) Be accompanied by private persons for the purpose of conducting an inspection in accordance with R645-400-210 and 30 CFR 842, when the inspection is in response to an alleged violation reported by the private person.
- Sec. 7 SCOPE OF OPERATIONS** - The permittee shall conduct reclamation activities only on those lands specifically designated as within the permit area on the maps submitted in the approved plan and approved for the term of the permit and which are subject to the performance bond.
- Sec. 8 ENVIRONMENTAL IMPACTS** - The permittee shall take all possible steps to minimize any adverse impact to the environment or public health and safety resulting from noncompliance with any term or condition of the permit, including, but not limited to:
- (a) Any accelerated or additional monitoring necessary to determine the nature and extent of noncompliance and the results of the noncompliance;
 - (b) Immediate implementation of measures necessary to comply; and
 - (c) Warning, as soon as possible after learning of such noncompliance, any person whose health and safety is in imminent danger due to the noncompliance.
- Sec. 9 DISPOSAL OF POLLUTANTS** - The permittee shall dispose of solids, sludge, filter backwash or pollutants in the court of treatment or control of waters or emissions to the air in the manner required by the approved Utah State Program which prevents violation of any applicable state or federal law.
- Sec. 10 CONDUCT OF OPERATIONS** - The permittee shall conduct its operations:
- (a) In accordance with the terms of the permit to prevent significant, imminent environmental harm to the health and safety of the public; and

- (b) Utilizing methods specified as conditions of the permit by DOGM in approving alternative methods of compliance with the performance standards of the Act and the approved Utah State Program.

- Sec. 11** **EXISTING STRUCTURES** - As applicable, the permittee will comply with R645-301 and R645-302 for compliance, modification, or abandonment of existing structures.
- Sec. 12** **RECLAMATION FEE PAYMENTS** - The operator shall pay all reclamation fees required by 30 CFR part 870 for coal produced under the permit, for sale, transfer or use.
- Sec. 13** **AUTHORIZED AGENT** - The permittee shall provide the names, addresses and telephone numbers of persons responsible for operations under the permit to whom notices and orders are to be delivered.
- Sec. 14** **COMPLIANCE WITH OTHER LAWS** - The permittee shall comply with the provisions of the Water Pollution Control Act (33 USC 1151 et seq,) and the Clean Air Act (42 USC 7401 et seq), UCA 26-11-1 et seq, and UCA 26-13-1 et seq.
- Sec. 15** **PERMIT RENEWAL** - Upon expiration, this permit may be renewed for areas within the boundaries of the existing permit in accordance with the Act and the approved Utah State Program.
- Sec. 16** **CULTURAL RESOURCES** - If during the course of reclamation operations, previously unidentified cultural resources are discovered, the permittee shall ensure that the site(s) is not disturbed and shall notify DOGM. DOGM, after coordination with OSMRE, shall inform the permittee of necessary actions required. The permittee shall implement the mitigation measures required by DOGM within the time frame specified by DOGM.
- Sec. 17** **APPEALS** - The permittee shall have the right to appeal as provided for under R645-300.
- Sec. 18** **SPECIAL CONDITIONS** - There are special conditions associated with this permitting action as described in Attachment A.

The above conditions (Secs. 1-18) are also imposed upon the permittee's agents and employees. The failure or refusal of any of these persons to comply with these conditions shall be deemed a failure of the permittee to comply with the terms of this permit and the lease. The permittee shall require his agents, contractors and subcontractors involved in activities concerning this permit to include these conditions in the contracts between and among them. These conditions may be revised or amended, in writing, by the mutual consent of DOGM and the permittee at any time to adjust to changed conditions or to correct an oversight. DOGM may amend these conditions at any time without the consent of the permittee in order to make them consistent with any federal or state statutes and any new regulations.

THE STATE OF UTAH

By: John R. By
Date: 2/21/2014

I certify that I have read, understand and accept the requirements of this permit and any special conditions attached.

Authorized Representative

Date: _____

ATTACHMENT A

Special Conditions

1. CONSOL Mining Company, LLC must submit water quality data for the Hidden Valley Mine in an electronic format through the Electronic Data Input web site, <http://linux1.ogm.utah.gov/cgi-bin/appx-ogm.cgi>

AFFIDAVIT OF PUBLICATION

STATE OF UTAH)

ss.

County of Emery,)

I, Richard Shaw, on oath, say that I am the Publisher of the Emery County Progress, a weekly newspaper of general circulation, published at Castle Dale, State of Utah and County aforesaid, and that a certain notice, a true copy of which is hereto attached, was published in the full issue of such newspaper for 1 (One) consecutive issues, and on the Utah legals.com website; the first publication was on the 21st day of January, 2014, and that the last publication of such notice was in the issue of such newspaper dated the 21st day of January, 2014.



Richard Shaw – Publisher

Subscribed and sworn to before me this 21st day of January 2014.



Notary Public My commission expires January 10, 2015 Residing at Price, Utah

Publication fee, \$ 102.00

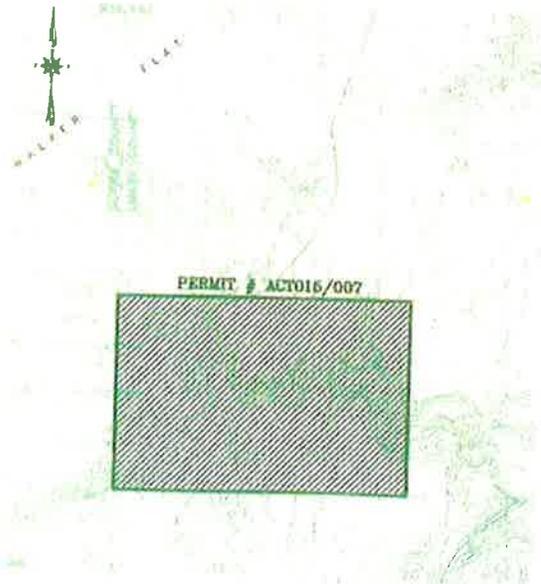


NOTICE

Notice is hereby given that CONSOL Mining Company LLC (CMC), 1000 Consol Energy Drive Canonsburg, PA 15317 has filed application with the State of Utah, Department of Natural Resources, Division of Oil, Gas and Mining for a permit transfer of Permit No. ACT/015/007 from Consolidation Coal Company (CCC) to CMC. CMC will operate the Hidden Valley Mine under the provisions of the Utah Coal Mining and Reclamation Act and the Utah R645 Coal Mining Rules.

The permit area, as shown on the map below, is located on U.S. Geological Survey 7.5 minute Walker Flat quadrangle map as follows:

Sections 17 and 18, Township 23S, Range 6E, of the Walker Flat Quadrangle;



Copies of the application for this permit are available for inspection at:

Emery County Recorder's Office
Emery County Courthouse
Castle Dale, Utah 84513

Utah Division of Oil, Gas and Mining
Coal Program
1594 West North Temple,
Suite 1210
P.O. Box 145801
Salt Lake City, Utah 84114-5801

Written comments on this application should be submitted to the State of Utah, Division of Oil, gas & Mining at the above address. Such comments should be filed within thirty (30) days from the date of the last publication of this notice.

Published in the Emery County Progress January 21, 2014.



GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

February 19, 2014

TO: Internal File

FROM: Daron R. Haddock, Permit Supervisor 

RE: Compliance Review for Section 510 (c) Findings, CONSOL Mining Company, LLC Permits

As of the writing of this memo, there are no NOVS or COs which are not corrected or in the process of being corrected. There are no finalized Civil Penalties, which are outstanding and overdue in the name of Consolidation Coal Company or CONSOL Mining Company, LLC. CONSOL Mining Company, LLC nor Consolidation Coal Company demonstrate a pattern of willful violations, or have they been subject to any bond forfeitures for any operation in the state of Utah.

The recommendation from the Applicant Violator System (AVS) denotes that all connected entities either do not have any civil penalties or are under a settlement agreement (attached).

O:\015007.HID\PERMIT\2014\TRANSFER\510C.DOC

Application Evaluation

Application Number C0150007 SEQ:7
 Applicant Name 254801 CONSOL Mining Company LLC
 Date Of Narrative 2/19/2014 10:32:02 AM
 Requestor suzanne.steab

CAUTION: The Applicant/Violator System (AVS) is an informational database. Permit eligibility determinations are made by the regulatory authority with jurisdiction over the permit application not by the AVS. Results which display outstanding violations may not include critical information about settlements or other conditions that affect permit eligibility. Consult the AVS Office at 800-643-9748 for verification of information prior to making decisions on these results.

18 Violations Found.

1: Bond Forfeiture	2985329	KY	Permit:2985329	Outstanding	5/14/1987
Violator 1:	078176 Adkins & Webb Inc				
2: State Civil Penalty	053004	KY	Permit:2985329	Outstanding	3/27/1986
Violator 1:	078176 Adkins & Webb Inc				
3: Bond Forfeiture	2985332	KY	Permit:2985332	Outstanding	8/19/1988
Violator 1:	108056 J & H Coal Co				
4: State Civil Penalty	053764	KY	Permit:2985332	Outstanding	9/18/1987
Violator 1:	108056 J & H Coal Co				
5: State Civil Penalty	054149	KY	Permit:2985332	Outstanding	3/28/1988
Violator 1:	108056 J & H Coal Co				
6: Bond Forfeiture	4985319	KY	Permit:4985319	Outstanding	1/20/1989
Violator 1:	034732 Price Coal Co				
7: State Civil Penalty	053671	KY	Permit:4985319	Outstanding	5/22/1987
Violator 1:	034732 Price Coal Co				
8: State Civil Penalty	054020	KY	Permit:4985319	Outstanding	4/26/1988
Violator 1:	034732 Price Coal Co				
9: State Civil Penalty	054058	KY	Permit:4985319	Outstanding	11/20/1987
Violator 1:	034732 Price Coal Co				
10: State Civil Penalty	054148	KY	Permit:4985319	Outstanding	3/24/1988
Violator 1:	034732 Price Coal Co				
11: State Civil Penalty	054323	KY	Permit:4985319	Outstanding	6/15/1988
Violator 1:	034732 Price Coal Co				
12: Bond Forfeiture	6985333	KY	Permit:6985333	Outstanding	1/16/1990
Violator 1:	108056 J & H Coal Co				
13: State Civil Penalty	053568	KY	Permit:6985333	Outstanding	6/5/1987
Violator 1:	108056 J & H Coal Co				
14: State Civil Penalty	053757	KY	Permit:6985333	Outstanding	7/6/1987
Violator 1:	108056 J & H Coal Co				
15: State Civil Penalty	053934	KY	Permit:6985333	Outstanding	10/2/1987
Violator 1:	108056 J & H Coal Co				
16: State Civil Penalty	054316	KY	Permit:6985333	Outstanding	3/28/1988
Violator 1:	108056 J & H Coal Co				
17: State Civil Penalty	054442	KY	Permit:6985333	Outstanding	6/15/1988
Violator 1:	108056 J & H Coal Co				
18: State Civil Penalty	504587	KY	Permit:8985157	Outstanding	8/23/1988
Violator 1:	007928 Past Coal Company Incorporated				

Evaluation OFT

Entities: 50

- 124819 Consol Energy Inc - ()
- 118427 J Brett Harvey - (Chairman of the Board)
- 118427 J Brett Harvey - (Chief Executive Officer)
- 118427 J Brett Harvey - (Director)
- 122200 Randall M Albert - (Chief Operations Officer)
- 125002 Phillip W Baxter - (Director)
- 128701 John T Mills - (Director)
- 132175 John M Reilly - (Treasurer)
- 132175 John M Reilly - (Vice President)
- 133137 James J Mccaffrey - (Senior Vice President)
- 134639 Barry M Miller - (Vice President)
- 135906 Bart J Hyita - (Chief Operations Officer)
- 146302 Raj K Gupta - (Director)
- 146635 Joseph T Williams - (Director)
- 152005 Nicholas J Deulius - (President)
- 154540 James E Altmeyer Sr - (Director)
- 154541 William E Davis - (Director)
- 154543 William P Powell - (Director)
- 154545 Jack K Richardson - (Vice President)
- 156239 Lorraine L Ritter - (Controller)
- 156239 Lorraine L Ritter - (Vice President)
- 157830 David C Hardesty Jr - (Director)
- 158031 Louis Barletta Jr - (Vice President)
- 158087 Lu Ann Datesh - (Vice President)
- 158110 Stephanie L Gill - (General Counsel)
- 158110 Stephanie L Gill - (Secretary)
- 158110 Stephanie L Gill - (Vice President)
- 158150 James A Brock - (Chief Operations Officer)
- 158931 George F Rosato - (Vice President)
- 246813 James C Grech - (Corporate Officer)
- 246813 James C Grech - (Executive Vice President)
- 247137 Steven E Winberg - (Vice President)
- 247139 Charles T Shaynak - (Senior Vice President)
- 247471 Thomas O Johnson - (Vice President)
- 248725 Stephen W Johnson - (Corporate Officer)
- 248725 Stephen W Johnson - (Executive Vice President)
- 248744 William D Gillenwater - (Vice President)
- 248745 Darryl M Huseenits - (Vice President)
- 248746 M Charles Hardoby - (Vice President)
- 248748 J Michael Onifer - (Senior Vice President)
- 248777 David W Kelly - (Vice President)
- 249573 Daniel Zajdel - (Vice President)
- 250342 Richard K Elswick - (Vice President)
- 250343 Christopher Powell - (Vice President)
- 251249 Katharine A Fredriksen - (Senior Vice President)
- 252387 Kurt R Salvatori - (Vice President)
- 252640 Donald Rush - (Vice President)
- 252912 David M Khani - (Chief Financial Officer)
- 252912 David M Khani - (Executive Vice President)
- 253847 Samuel McLaughlin - (Vice President)
- 253848 Christopher T Marsh - (Vice President)
- 254362 Alvin R Carpenter - (Director)
- 254363 Maureen E Lally-Green - (Director)
- 254802 CONSOL Mining Holding Company LLC - (Subsidiary Company)
- 118427 J Brett Harvey - (Chairman of the Board)
- 118427 J Brett Harvey - (Chief Executive Officer)
- 135906 Bart J Hyita - (Chief Operations Officer)
- 135906 Bart J Hyita - (President)
- 154545 Jack K Richardson - (Vice President)
- 156239 Lorraine L Ritter - (Assistant Secretary)
- 156239 Lorraine L Ritter - (Controller)
- 158087 Lu Ann Datesh - (Vice President)
- 158150 James A Brock - (Vice President)
- 246813 James C Grech - (Vice President)
- 247139 Charles T Shaynak - (Vice President)
- 248725 Stephen W Johnson - (Vice President)
- 248744 William D Gillenwater - (Vice President)
- 248777 David W Kelly - (Vice President)
- 252912 David M Khani - (Vice President)
- 253193 Michael J Baker - (Secretary)
- 253845 Steve T Aspinall - (Treasurer)
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-----253193 Michael J Baker - (Secretary)
-----253845 Steve T Aspinall - (Treasurer)
---254856 John A Owsiany - (Vice President)
---254860 Samuel H Johnson - (Vice President)

Narrative 02/19/2014 Violations 1-18 are under Island Creek settlement. Linking entities are Consol Energy Inc, etc. lk