

*ACT/015/015 } #13
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*Mine file
LPR*

Consolidation Coal Company
Mid-Continent Region
12755 Olive Boulevard
St. Louis, Missouri 63141
(314) 275-2300

November 4, 1985

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**DIVISION OF OIL
GAS & MINING**

Lowell Braxton
Division of Oil, Gas & Mining
State of Utah - Natural Resources
355 W. North Temple
3 Triad Center - Suite 350
Salt Lake City, Utah 84180-1203

RE: Permitting of Coal Preparation Plants and Loadouts

Dear Mr. Braxton:

In response to the D.O.G.M. letters on September 25, and October 23, 1985 regarding the permitting of coal preparation plants, it is Consol's position that the new regulations addressed in the two above-mentioned letters do not apply to Consol's Emery Mine. Our justification is based on the fact that our processing and loadout facilities at the Emery mine are presently located within the present permit boundary and subsequently the required performance standards have been previously addressed.

Should you require any additional information regarding Consol's interpretation, please feel free to contact me at 314-275-2416.

Sincerely,

Nicolaus P. Neumann, P.E.
Group Leader - Permits

NPN:vms