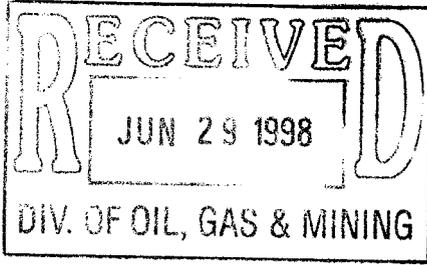


0023



Consolidation Coal Company  
Western/Non Mining Operations  
Post Office Box 566  
Sesser, Illinois 62884

June 18, 1998

Mr. Daron R. Haddock, Permit Supervisor  
Utah Coal Regulatory Program  
1594 West North Temple, Suite 1210  
Box 145801  
Salt Lake City, Utah 84114-5801

Re: Lease Relinquishment, Emery Deep Mine  
Permit ACT/015/015 #2

*Copy Letter  
Op: Aaron  
(Amendment)*

Dear Mr. Haddock:

The enclosed "Application For Permit Change" is to modify permit items following Consolidation Coal Company's relinquishment of State Coal Lease ML 25005. As stated in your April 2, 1998 correspondences, the Mining and Reclamation Plan that Consolidation Coal used as a basis for issuance of the permit is now inaccurate. The application modifies the mining plan to exclude any further mining within the relinquished leasehold.

Entry to the underground workings of the relinquished leasehold area is secured by permanent seals constructed in 2 West Main outbye 3 Right. All mining equipment and materials were removed except constructed overcast before sealing the section. The attached drawing delineates location of the existing seals. Materials and construction methods for the seals were according to the approved MSHA sealing plan. Attached for your review is a copy of the sketch and narrative for development of permanent seals obtained from the approved ventilation plan.

If you have any questions concerning this application, please contact me at this office.

Sincerely,

Timothy D. Kirschbaum  
Environmental Engineer  
(618)-625-6847

w/ enclosures  
DOGM.LET

# APPLICATION FOR PERMIT CHANGE

Title of Change:

LEASE RELINQUISHMENT OF STATE COAL LEASE ML 25005

Permit Number: ACT / 015 / 015

Mine: Emery Mine

Permittee: Consolidation Coal

Description, include reason for change and timing required to implement:

*Required changes due to relinquishment of State Coal Lease ML 25005. Relinquishment requires modification to Right-of-Entry information, mining sequence and description of plans and methods in sealing underground working within the relinquished lease area.*

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	1. Change in the size of the Permit Area? _____ acres <input type="checkbox"/> increase <input type="checkbox"/> decrease.
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	2. Change in the size of the Disturbed Area? _____ acres <input type="checkbox"/> increase <input type="checkbox"/> decrease
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	3. Will permit change include operations outside the Cumulative Hydrologic Impact Area?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	4. Will permit change include operations in hydrologic basins other than currently approved?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	5. Does permit change result from cancellation, reduction or increase of insurance or reclamation bond?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	6. Does permit change require or include public notice publication?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	7. Permit change as a result of a Violation? Violation #
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	8. Permit change as a result of a Division Order? D.O. #
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	9. Permit change as a result of other law or regulations? Explain:
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	10. Does permit change require or include ownership, control, right-of-entry, or compliance information? <i>State Lease ML 25005 has been relinquished by Consolidation Coal. Without the lease, the company no longer has right of entry to conduct mining and reclamation activities.</i>
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	11. Does the permit change affect the surface landowner or change the post mining land use?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	12. Does permit change require or include collection and reporting of any baseline information?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	13. Could the permit change have any effect on wildlife or vegetation outside the current disturbed area?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	14. Does permit change require or include soil removal, storage or placement?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	15. Does permit change require or include vegetation monitoring, removal or revegetation activities?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	16. Does permit change require or include construction, modification, or removal of surface facilities?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	17. Does permit change require or include water monitoring, sediment or drainage control measures?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	18. Does permit change require or include certified designs, maps, or calculations? <i>Modified "Operations Plan" for timing and sequencing.</i>
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	19. Does permit change require or include underground design or mine sequence and timing? <i>Mine sequence and timing modified to avoid the relinquished lease area.</i>

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	20. Does permit change require or include subsidence control or monitoring?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	21. Have reclamation costs for bonding been provided or revised for any change in the reclamation plan?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	22. Is permit change within 100 feet of a public road or perennial stream or 500 feet of an occupied building?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	23. Is this permit change coal exploration activity <input type="checkbox"/> inside <input type="checkbox"/> outside of the permit area?

Attach 3 complete copies of proposed permit change as it would be incorporated into the Mining and Reclamation Plan.

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commissions, undertakings, and obligations, herein.

OFFICIAL SEAL  
 CONSTANACE J MORGENTHAUER  
 NOTARY PUBLIC STATE OF ILLINOIS  
 MY COMMISSION EXP. APR. 8, 2001

Tom Mann 6-18-98  
 \_\_\_\_\_  
 Name - Position - Date

Subscribed and sworn to before me this 18th day of June, 1998  
Constanace J. Morgenthauer  
 Notary Public

Mt. Commission Expires: April 8, 2001 }  
 Attest: STATE OF Illinois } ss:  
 COUNTY OF Carroll }

