

**CONSOL ENERGY™**

Consolidation Coal Company
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OK

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APR 22 2002

DIV OF OIL GAS & MINING

*Reopening
c/015/015*

April 21, 2002

Mr. Lowell Braxton, Director
Utah Division of Oil, Gas & Mining
Utah Coal Regulatory Program
1594 West North Temple, Suite 1210
Box 145801
Salt Lake City, Utah 84114-4870

RE: Emery Mine, Emery County
Permit 015/015
Request to Reclassify To Active Operation

Dear Mr. Braxton:

This letter is intended to notify the Utah Division of Oil, Gas and Mining that Consolidation Coal Company intends to reopen the Emery Mine to coal production in 2002. Currently the company anticipates the production of coal to begin in late summer of 2002.

Since early this year, Consolidation Coal Company has been assembling the management team to operate the mine. In January of this year, representatives of the company accompanied with Mine Safety Health Administration officials entered the mine to determine the condition of the underground works. Based on their review, Consolidation Coal Company is preparing to reopen mining operations by constructing the 4 East Portal Site approved under 015/015. Permit amendments are being developed for submittal to modify the approved plan to accommodate the required facilities necessary for this operation change.

At this time, annual production is unknown. Initial mine plans require only a single unit producing approximately 600,000 tons per year. It is anticipated that as coal contracts are secured, the annual production through this portal will increase to 1.4 to 2.0 million tons per year.

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Please reclassify the Emery Mine, Permit 015/015 to an active mining status. The management of Consolidation Coal Company looks forward to the opportunity of working closely with the Division and the State of Utah. If you have any questions, please contact either Seth McCourt, Emery Mine Engineer at (435) 286-2301 or Tim Kirschbaum, Environmental Engineer at (618) 625-2041.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy D. Kirschbaum". The signature is fluid and cursive, with a long horizontal stroke at the end.

Timothy D. Kirschbaum
Environmental Engineer

cc: Seth McCourt – Emery Mine