



CONSOL ENERGY™

May 17, 2002

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

*New Agreement
Missing
6/15/05*

Re: Application for Permit Change
Modification to 4th East Portal Facility
Permit ACT/015/015

Dear Mr. Haddock:

The enclosed "Application For Permit Change" is to modify the site layout and scope of disturbance of the 4th East Portal Area. This application proposes to extend the operation of the site to a coal loadout and provide complete portal facilities to the underground mining operation.

Information concerning soils, cultural resources and threatened and endangered species for the proposed disturbance area has been submitted under separate submittal.

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
Seth McCourt

RECEIVED

MAY 17 2002

DIVISION OF
OIL, GAS AND MINING

APPLICATION FOR PERMIT CHANGE

Title of Change:

Revision of 4 East Portal Site

Permit Number: ACT/015/015

Mine: Emery Mine

Permittee: Consolidation Coal

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

Required changes due revised surface layout of 4 East Portal Site. Change includes enlarging the ramp excavation and construction of a sediment pond.

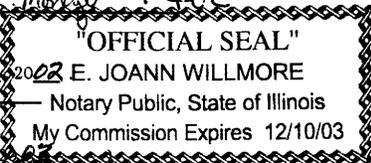
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	1. Change in the size of the Permit Area? _____ acres <input type="checkbox"/> increase <input type="checkbox"/> decrease.
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	2. Change in the size of the Disturbed Area? _____ 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 type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	10. Does permit change require or include ownership, control, right-of-entry, or compliance information?
<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 checked="" type="checkbox"/> Yes	<input 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 checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	16. Does permit change require or include construction, modification, or removal of surface facilities?
<input checked="" type="checkbox"/> Yes	<input 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?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	19. Does permit change require or include underground design or mine sequence and timing?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	20. Does permit change require or include subsidence control or monitoring?
<input checked="" type="checkbox"/> Yes	<input 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.

John Willmore
 Signed - Name - Position - Date *4-4-02*

Subscribed and sworn to before me this *11th* day of *April*
John Willmore
 Notary Public



Mt Commission Expires:
 Attest: STATE OF
 COUNTY OF

December 10
Illinois
Jefferson

RECEIVED

MAY 17 2002

DIVISION OF
 OIL, GAS AND MINING
 ASSIGNED PERMIT CHANGE NUMBER

Application for Permit Change Detailed Schedule of Changes to the Permit

Title of Change: <div style="text-align: center; font-weight: bold; font-size: 1.2em;">REVISED 4 EAST PORTAL SITE</div>	Permit Number: ACT / 015 / 015
	Mine: Emery Mine
	Permittee: Consolidation Coal

Provide a detailed listing of all changes to the mining and reclamation plan which will be required as a result of this proposed permit change. Individually list all the maps and drawings which are to be added, replaced, or removed from the plan. Include changes of the table of contents, section of the plan, pages, or other information as needed to specifically locate, identify and revise the existing mining and reclamation plan. **Include page, section and drawing numbers as part of the description.**

			DESCRIPTION OF MAP, TEXT, OR MATERIALS TO BE CHANGED
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Replace Appendix I-1, Chapter I - Officers and Directors
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Replace Appendix I-3, Chapter I - List of Permits
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Replace Appendix I-4, Chapter I - List of Violations
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Replace Page 4, Chapter II
<input checked="" type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Insert Page 4a, Chapter II
<input checked="" type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Insert Pages 17a, 17b and 17c, Chapter II
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Replace Page 18, Chapter II
<input checked="" type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Insert Page 18a, Chapter II
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Replace Pages 6, 9, 11, and 12, Chapter III
<input checked="" type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Insert Page 12a, Chapter III
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Replace Page 15, Chapter III
<input checked="" type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Insert Page 15a, Chapter III
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Replace Pages 16, 17 and 18, Chapter III
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Replace Page 7, Chapter VI
<input checked="" type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Insert Page 7a, Chapter IV
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Replace Page 8, Chapter IV
<input checked="" type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Insert Pages 12c and 12d, Chapter IV
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Replace Pages 14 and 15, Chapter IV
<input checked="" type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Insert Page 15a, Chapter IV
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Replace Page 16, Chapter IV
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Replace Pages 156, 157, 185 and 186, 188a, 188c, Chapter VI
<input checked="" type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Insert Page 188h, Chapter VI

Any other specific or special instructions required for insertion of this proposal into the mining and reclamation plan?

Application for Permit Change Detailed Schedule of Changes to the Permit

Title of Change: <h3 style="text-align: center; margin: 0;">REVISED 4 EAST PORTAL SITE</h3>	Permit Number: ACT / 015 / 015
	Mine: Emery Mine
	Permittee: Consolidation Coal

Provide a detailed listing of all changes to the mining and reclamation plan which will be required as a result of this proposed permit change. Individually list all the maps and drawings which are to be added, replaced, or removed from the plan. Include changes of the table of contents, section of the plan, pages, or other information as needed to specifically locate, identify and revise the existing mining and reclamation plan. **Include page, section and drawing numbers as part of the description.**

			DESCRIPTION OF MAP, TEXT, OR MATERIALS TO BE CHANGED
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Replace Page 1 of 38, Chapter VI, Appendix VI-6
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Replace Pages 6 of 38, 7 of 38, 8 of 39 and 9 of 38, Chapter VI, Appendix VI-6
<input checked="" type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Insert "Temporary Stream Diversion" - SEDCAD Report for 10 yr/24 hr Design Event, 9a, Chapter VI, Appendix VI-6
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Replace Page 2 of 52, Chapter VI, Appendix VI-7
<input checked="" type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Insert Pages 52a-1 through 52a-8, Chapter VI, Appendix VI-7
<input checked="" type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Insert Full Containment SEDCAD, Chapter VI, Appendix VI-7
<input checked="" type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Insert Emergency Spillway SEDCAD, Chapter VI, Appendix VI-7
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Replace Pages 10, 11, 12, 13, 14, 15, 16, 17 and 18, Chapter VI, Appendix VI-8
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Replace Pages 22, 23, 24, 25 and 26, Chapter VI, Appendix VI-8
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Drawing Plate III-1, " 4 East Portal Disturbance Area" , Chapter III
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Drawing Plate III-5, " 4 East Portal Postmining Topography Plan View" , Chapter III
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Drawing Plate IV-3, " 4 East Portal Plan and Cross Sections", Chapter IV
<input checked="" type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Drawing Plate IV-3a and IV-3b, " 4 East Portal Plan and Cross Sections", Chapter IV
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Plate IV-10a "4 East Portal Sediment Control Plan Temporary Stream Diversion", Chapter IV
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Plate IV-10b "4 East Portal Sediment Control Plan Sediment Pond #9", Chapter IV
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	

Any other specific or special instructions required for insertion of this proposal into the mining and reclamation plan?