



CONSOL ENERGY™

Emery Mine
P.O. Box 527
Emery, Utah 84522
Phone: (435) 286 - 2301

October 5, 2002

OK

Pamela Grubaugh- Littig, Permit Supervisor
Department of Natural Resources
Division of Oil, gas and Mining
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, Utah 84114-5801

Response
Jacobs
9/15/015

RE: Response to Deficiencies For Installation of a Transmission Line, Emery Deep Mine, C/015/015-02D-1

Dear Mrs. Grubaugh-Littig:

Please find enclosed responses to deficiencies related to the installation of a transmission line at the Consolidation Coal Company's Emery Deep Mine. I have addressed each deficiency with respect to your letter of October 3, 2002.

R645-301-322.200, *Results of Larry England must be included in the MRP.*

Letter from Henry R. Maddux, United States Department of the Interior Fish and Wildlife Service – Results of Larry England's field survey for federally listed threatened and endangered species.

This is to be included Appendix VIII-2 as page 10 of the MRP

R645-301-331, *Map showing exact pole location or a commitment to take the shortest overland route for pole placement.*

Replace Chapter II, Page 17d of the MRP: statement included that states, "The operator will utilize existing roads or take the shortest overland route for pole placement".

R645-301-358.510, *The power line configuration must be designed for a minimum distance of 60 inches between energized hardware or between phases or between phases and ground wires to provide safe perching for large raptors (eagles).*

Mr. Art Bruno (Bruno Engineering Inc.) consulted with Dale Robertson (Utah Power & Light) for UP&L's standards for raptor protection. He re-designed the transmission line with respect to UP&L's standards providing a minimum of 60" between energized hardware, phases and ground wires. The drawing has been modified and to be added to Chapter IX as Plate IX-4.

RECEIVED

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DIV. OF OIL, GAS & MINING

R645-301-411.140 *The cultural and historic resources map must be updated to show the location of of the Old Spanish Trail and all archeological sites within and adjacent to the permit area identified in Appendix 5.*

Plate X-A-1 of Chapter X has been updated to include a historically significant site identified by Montgomery Archeological Consultants and identified as site 42Em2822. A note has been included on the map stating, "The Spanish Trail is known to have passed through the area of the Emery Mine. The trail was simply a route or corridor used during the first half of the 1800's for trade between Santa Fe and Los Angelas. This corridor within the Emery Mine area can be defined as south of the town of Emery, east of the foothills and west of the rim of Miller Canyon".

R645-301-411.140 *The Cultural resources discussion in the MRP (X.A) must be updated to include current information from Appendix 5.0*

Chapter X, Page 1 has been updated to include the statement "The sixth referenced survey report, Appendix 5-6, covers the 4th East Power line Corridor and was completed by Montgomery Archeological Consultants in August of 2002. One site identified as historically significant was marked in the field and will be avoided as recommended by Montgomery". This page should be replaced.

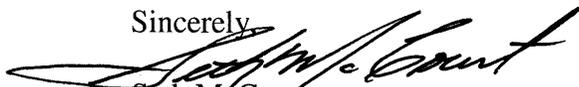
R645-301-521.122 *The permittee will need to show the location of the transmission line on the manmade features or on a surface facilities map.*

The mine does not currently have a drawing that includes all man made features on one map. Man made features are shown on a number of mylar drawings but there is currently not a single drawing. Plate II-3 has had the title block changed to indicate "Man Made Features".

We are in the process of installing the poles and power lines and should be completed by the end of the week of November 4th. Your time and consideration would be greatly appreciated on this matter. For your convenience I have forwarded a copy to the Price Field Office.

If you have question or concerns please feel free to contact me at (435) 286-2301 or Tim Kirschbaum at (618) 997-4357.

Sincerely,



Seth McCourt
Mining Engineer

APPLICATION FOR PERMIT PROCESSING

Permit Change New Permit Renewal Exploration Bond Release

Permittee: Consolidation Coal Company

Mine: Emery Deep Mine

Permit Number: 015/015

Title: Construction of 7200 KVA Transmission Line

Description, Include reason for application and timing required to implement:

Construction of a 7200 KVA Transmission Line to 4th East Potal Site

Instructions: If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

- Yes No 1. Change in the size of the Permit Area? Acres: _____ Disturbed Are: _____ increase decrease.
- Yes No 2. Is the application submitted as a result of a Division Order? DO# _____
- Yes No 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?
- Yes No 4. Does the application include operations in hydrologic basins other than as currently approved?
- Yes No 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?
- Yes No 6. Does the application require or include public notice publication?
- Yes No 7. Does the application require or include ownership, control, right-of-entry, or compliance information?
- Yes No 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
- Yes No 9. Is the application submitted as a result of a Violation? NOV # _____
- Yes No 10. Is the application submitted as a result of other laws or regulations or policies?
Explain: _____
- Yes No 11. Does the application affect the surface landowner or change the post mining land use?
- Yes No 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)
- Yes No 13. Does the application require or include collection and reporting of any baseline information?
- Yes No 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
- Yes No 15. Does the application require or include soil removal, storage or placement?
- Yes No 16. Does the application require or include vegetation monitoring, removal or revegetation activities?
- Yes No 17. Does the application require or include construction, modification, or removal of surface facilities?
- Yes No 18. Does the application require or include water monitoring, sediment or drainage control measures?
- Yes No 19. Does the application require or include certified designs, maps or calculation?
- Yes No 20. Does the application require or include subsidence control or monitoring?
- Yes No 21. Have reclamation costs for bonding been provided?
- Yes No 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?
- Yes No 23. Does the application affect permits issued by other agencies or permits issued to other entities?

Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you. (These numbers include a copy for the Price Field Office)

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 commitments, undertakings, and obligations, herein.

John Zachwieja
Print Name

John Zachwieja, Gen. Mgr., 10-30-02
Sign Name, Position, Date

Subscribed and sworn to before me this 30th day of October, 2002

Kimberly M. Jacovino
Notary Public

Notarial Seal
Kimberly M. Jacovino, Notary Public
Peters Twp., Washington County
My Commission Expires Aug. 24, 2004

My commission Expires: August 24, 2004
Attest: State of Pennsylvania } ss:
County of WASHINGTON

Member, Pennsylvania Association of Notaries

<p>For Office Use Only:</p>	<p>Assigned Tracking Number:</p>	<p>Received by Oil, Gas & Mining</p> <p style="font-size: 24px; font-weight: bold;">RECEIVED</p> <p style="font-size: 24px; font-weight: bold;">OCT 31 2002</p> <p style="font-weight: bold;">DIV. OF OIL, GAS & MINING</p>
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