

**CONSOL ENERGY™**

Consolidation Coal Company
P.O. Box 566
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December 19, 2002

Ms. Pamela Grubaugh-Littig, Assessment Officer
Department of Natural Resources
Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84114-5801

RE: Assessment for State Violation No. N02-39-2-1
Consolidation Coal Company, Emery Deep Mine, C/015/015

Incoming OK
C/015/015
Copy RAM

Dear Ms. Grubaugh-Littig:

Based on the reassessment of the above-noted violation, Consolidation Coal Company respectfully withdraws our November 21, 2002 request for an Assessment Conference. We find the Division's correspondence of December 6, 2002, to include the good faith points the company sought. Therefore, our request for an Assessment Conference under R645-401-700 is no longer required.

I have began the paperwork to have the reassessed monetary penalty processed and will remit to Ms. Southwick within the next several weeks. If you have any questions, please call me.

Sincerely,

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

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DIV. OF OIL, GAS & MINING