



State of Utah
 DEPARTMENT OF NATURAL RESOURCES
 DIVISION OF OIL, GAS AND MINING

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November 15, 2002

Tim Kirschbaum
 Consolidation Coal Company
 P.O. Box 566
 Sesser, Illinois 62884

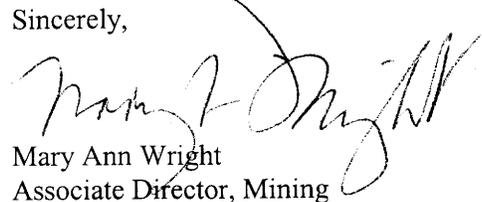
Re: Letter of Concern - Pattern of Violations, Consolidation Coal Company,
 Emery Deep Mine, C/015/015, Outgoing File

Dear Mr. Kirschbaum:

This is a letter of concern to advise you that Consolidation Coal Company has received two violations of the same nature (Violations #N02-39-1-2 and N02-39-2-1), and at the same area, of the 4th East Portal. Because of this, there is the potential for a Pattern of Violation according to Coal Rule R645-411-332.

The Division typically reviews violations that have been cited for the same or related requirements of the state program, or permit, during three or more state inspections of the permit area within a 12-month period. After a review, it is up to the Director to determine that a pattern of violations may exist and recommend that the Board issue an order to show cause as provided in Coal Rule R645-400-331. Since this is a very serious matter, I want to make you aware of this situation. It may be helpful to you and others to discuss this issue of a repeat of a violation in the same part of your operation and ways to prevent future violations. If you would like, I am certainly available to set up a meeting, conference call or field visit. You can contact me at (801) 538-5306 or maryannwright@utah.gov

Sincerely,


 Mary Ann Wright
 Associate Director, Mining

vs

cc: Seth McCourt
 Jim Noyes
 Lowell Braxton, Director
 Price Field Office

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