

**CONSOL ENERGY™**

Consolidation Coal Company
P.O. Box 566
Sesser, IL 62884
Phone: (618) 625-2041
Fax: (618) 625-6844

INCOMING
C0150015

#1654

August 15, 2003

Mr. Lowell Braxton, Director
Division of Oil Gas and Mining
Utah Coal Regulatory Program
1594 West North Temple, Suite 1210
Box 145801
Salt Lake City, Utah 84114-5801

Re: Permit Change, Emery Deep Mine
Permit ACT/015/015

Dear Mr. Braxton:

The enclosed "Application For Permit Change" is to address the Division Order issued April 1, 2003, requiring update to the Probable Hydrologic Consequences (PHC) of Consolidation Coal Company, Emery Deep Mine. The application seeks to insert the update as Appendix VI-10 to Chapter VI, Volume 2 of 2.

If you have any questions concerning this application, please contact me at this office.

Sincerely,

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

w/ attachment

cc: J. Byars, Emery Mine

RECEIVED
AUG 18 2003
DIV. OF OIL, GAS & MINING

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change New Permit Renewal Exploration Bond Release Transfer

Permittee: CONSOLIDATION COAL COMPANY

Mine: Emery Deep

Permit Number: 015/015

Title: PHC Update

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

To comply with Division Order to update the PHC section of the MRP.

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 Area: _____ increase decrease.
- Yes No 2. Is the application submitted as a result of a Division Order? DO# C/015/015-DO03A
- 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.

Jonathan M. Pachter
Print Name

Jonathan M. Pachter 8/13/03
Sign Name, Position, Date
Manager, Environmental Permitting

Subscribed and sworn to before me this 13 day of AUGUST, 2003

Jane M. Young
Notary Public
My commission Expires: JUNE 20, 2005
Attest: State of PENNSYLVANIA } ss:
County of ALLEGHENY

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Jane M. Young, Notary Public
Upper St. Clair Twp., Allegheny County
My Commission Expires June 20, 2005
Member, Pennsylvania Association of Notaries

For Office Use Only:	Assigned Tracking Number:	Received by Oil, Gas & Mining

Figure(s) is kept with this application located in the Public Information Center of our Salt Lake City office.