

**CONSOL ENERGY™**

October 13, 2003

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

Re: Consolidation Coal Company, Emery Deep Mine
Permit C/015/015
4th East Portal Dust Control Status

Dear Mr. Braxton:

This letter is a status report, on the progress to date, on implementation of the dust control devices submitted as an amendment to your department. A contract is in place (see attached summary from Norwest) between Consol and Norwest to allow Norwest to design, procure and manage the installation of the dust control devices, once the Department approves the amendment. Consol will be responsible for the cost of all the labor and materials for the project. Currently Consol is in the process of executing Purchase Orders for the wind fence material, concrete barriers, water cannons, water spray hardware (water truck) and road re-route design. The Notice of Intent to the Division of Air Quality should be ready for submittal early next week.

If you have any questions concerning this request, please contact me at (618) 625-6850.

Sincerely,

A handwritten signature in cursive script that reads "John Gefferth".

John Gefferth
Permit Coordinator

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DIV. OF OIL, GAS & MINING

**CONSOL - Emery Mine - 4th East Portal
Statement of Norwest's Level of Involvement
During Implementation of Controls**

On October 7, 2003 CONSOL formally retained Norwest Corporation (Norwest) to design and implement the fugitive dust control plan as presented to DOGM on August 26, 2003 and as contained in the September 12, 2003 submittal to DOGM to amend the Mine Reclamation Plan for the Emery Mine, 4th East Portal. The contract is for turn key implementation, i.e., Norwest will manage all aspects of implementation, including onsite field supervision of sub-contractors involved in installation of control devices.

The scope of work for the contract includes the following tasks:

1. Prepare Installation and Implementation Schedule

Norwest will prepare a schedule for installation and operation of controls. Where feasible, controls will be installed by the expiration date of the most recent DOGM extension. For controls that will not be operational by this date, justification will be provided.

2. Design Engineering Dust Controls and Measures

Initial design specifications at installed locations for the selected control devices and dust abatement measures will be prepared by Norwest (Note: Preliminary engineering data have already been included in the MRP amendment submitted to DOGM on September 12, 2003.).

3. Prepare Final Design Criteria for Controls

Norwest will refine the design criteria for control devices and dust control measures.

4. Secure Bids for Controls and Measures

Norwest will screen and select contractors to provide control device equipment and services.

5. Prepare Detailed Cost Estimate

Norwest will prepare a comprehensive cost estimate for the procurement and installation of controls once bids are received, and will submit the document as an interim deliverable to CONSOL.

6. Final Design of Controls and Measures

Design specifications and installed locations for the selected controls, based on bids received from vendors, will be reviewed and finalized by Norwest. The final design package will be provided to CONSOL.

7. Manage Procurement and Installation Construction

In addition to the above tasks, Norwest will manage all aspects of ordering, receiving and installing the selected controls at the Emery Mine site – the turn key implementation of the dust control program. It is anticipated that third party contractors will be used for the various installations, and that Norwest will make several visits to the 4th East Portal site as necessary when subcontractors are present to supervise key aspects of control installation.