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 \* 0003 TRANSACTION REPORT P. 01 \*  
 \* JAN-17-2003 FRI 04:12 PM \*  
 \* FOR: OIL, GAS & MINING 801 359 3940 \*  
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**CONSOL ENERGY™**

December 20, 2002

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

Mr. Daron Haddock  
 Permit Supervisor  
 Division of Oil, Gas and Mining  
 1594 West North Temple, Suite 1210  
 P.O. Box 145801  
 Salt Lake City, Utah 84114-5801

RE: Emery Temporary Stockpile Inspection Report

Dear Mr. Haddock:

Please find enclosed the 4<sup>th</sup> Quarter Inspection form for the Temporary Coal Stockpile at the Emery Mine. Refuse from the development of 4<sup>th</sup> East Portals was added to the stockpile during the 4<sup>th</sup> Quarter. It is estimated that approximately 3,000 tons was added. The form has been certified by a registered P.E. at our Sessor Office.

*Incoming  
 12/15/02  
 Copy Daron  
 FIVE P.E. ✓  
 (all)*

... please feel free to contact me at (435) 286-2301.



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*Incoming  
@ 10:30 AM OK  
Copy to  
F&M  
(all)*

If you have any questions or concerns please feel free to contact me at (435) 286-2301.

Sincerely,

Seth McCourt  
Mine Engineer

RECEIVED  
JAN 17 2003  
DIV. OF OIL, GAS & MINING

# INSPECTION FORM

## COAL REFUSE PILES AND COAL WASTE IMPOUNDMENTS

Name Seth McLant Title Mine Engineer  
 Date 12-13-02 Date last inspected 9-11-02  
 Site Name Emery Temp Coal Stockpile Mine Name Emery  
 Refuse Facility ID # 1211-UT-09-00079-01

Refuse piles---Part A only  
 Impoundments---Part A and Part B

### Part A

- |  |   |  |
|--|---|--|
| 1. Foundation preparation (vegetation, topsoil removal?)---- | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| 2. Lift Thickness (inches)-----                              | <u>6-12 feet</u>                        |  |
| 3. Compaction (4 to 6 complete passes)-----                  | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            |
| 4. Burning* (specify extent and location)-----               | Yes <input type="checkbox"/>            | No <input checked="" type="checkbox"/> |
| 5. Angle of Slope (degrees)-----                             | <u>1/2</u>                              |  |
| 6. Seepage* (specify location, color, & appr. volume)-----   | Yes <input type="checkbox"/>            | No <input checked="" type="checkbox"/> |
| 7. Cracks or scarps* (location, size)-----                   | Yes <input type="checkbox"/>            | No <input checked="" type="checkbox"/> |
| 8. Major erosion problems* (location and extent)-----        | Yes <input type="checkbox"/>            | No <input checked="" type="checkbox"/> |
| 9. Water impounding against toe* -----                       | Yes <input type="checkbox"/>            | No <input checked="" type="checkbox"/> |

### Part B

- |  |                              |                             |
|--|------------------------------|-----------------------------|
| 10. Embankment freeboard (feet)-----                     | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 11. ___ Increase ___ Decrease in water level (feet)----- | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 12. Sumps or sinkholes in slurry surface-----            | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 13. Clogging* (pipes, ditches, spillway)-----            | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 14. Trash racks clear and in place-----                  | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

\* Adverse conditions noted in these items should be described (extent, location, volume, etc.) in the space provided. Major adverse changes could cause instability.

Inspection  
Category

Comments

Approximately 3,000 tons of refuse was  
located which came from the total Excavation.  
A beam on the north side had a  
minor repair made to it.  
No hazardous conditions or pollutants observed