

0006



**CONSOL ENERGY**

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

INCOMING  
C0150015 OK  
Task ID #1819

January 26, 2004

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

Re: Emery Deep Mine Permit C/015/015  
Deficiency responses to technical analysis dated 12/10/03  
Amendment to MRP to abate NOV N03-39-1-1, Task ID # 1762

Dear Mr. Braxton:

Please consider these deficiency responses to the above mentioned T.A. The deficiencies and responses are attached.

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

Sincerely,

John Gefferth  
Permit Coordinator

CC: James Byars – Emery Mine  
Jonathan Pachter - CONSOL Energy  
Dan Baker – C & P Coal (attachments)

JAG/jag em.mrpamnd.defdec10resp.doc

File in: C0150015, Incoming  
 Refer to Date Folder: 01/26/2004  
 Confidential  
 Shelf  
 Expandable  
 For additional information

RECEIVED  
JAN 27 2004  
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 Mine

**Permit Number:** 015/015

**Title:** Deficiency responses 12/10/03

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

Additional deficiency responses to the Dust Control Ammendments original deficiency responses.

**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# \_\_\_\_\_
- 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

Subscribed and sworn to before me this 22 day of JANUARY, 2004

Jonathan M. Pachter 1/22/04

Sign Name, Position, Date

Manager, Environmental Permitting

COMMONWEALTH OF PENNSYLVANIA

Notary Public  
My commission Expires:

Jane M. Young

JUNE 20, 2005

Attest: State of PENNSYLVANIA } ss:  
County of ALLEGHENY

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

RECEIVED

JAN 27 2004

DIV. OF OIL, GAS & MINING

