

**CONSOL ENERGY™**March <sup>18</sup>~~10~~, 2004

Pamela Grubaugh-Littig  
Utah Division of Oil, Gas & Mining  
Coal Program  
1594 West North Temple, Suite 1210  
P.O. Box 145801  
Salt Lake City, UT 84114-5801

*Incoming  
C/015/015  
Copy Pam*

RE: Rescind Application for Permit Transfer, Emery Deep Mine, ACT/015/015

Dear Ms. Grubaugh-Littig:

Permit transfer materials were submitted to the Division in September 2003 in accordance with Utah Coal Regulatory Program guidance and Utah Administrative Code Rule 645-303 for the application to transfer Emery Deep Mine permit ACT/015/015 from Consolidation Coal Company to C&P Coal Corporation. The proposed sale and transfer of the Emery Deep Mine to C&P Coal Corporation has been terminated. Consolidation Coal Company requests that all application materials submitted in association with this transfer be withdrawn, and the action be cancelled.

Sincerely,

John Gefferth  
Permit Coordinator

RECEIVED

MAR 18 2004

DIV. OF OIL, GAS &amp; MINING