

**CONSOL ENERGY™**

Consolidation Coal Company

P.O. Box 566

Sesser, IL 62884

(618) 625-2041

December 10, 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
Amendment to MRP to revise partial pillar splitting plan

Dear Mr. Braxton:

Please consider this an amendment to the Mine Reclamation Plan for the Emery Mine. Consol is submitting a revised partial pillar splitting plan as approved by MSHA, for the 2nd south section.

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

Sincerely,

John Gefferth
Permit Coordinator

Reaming
C/015/015

RECEIVED

DEC 13 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: Updated Pillar Split Plan

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

Update the MRP to match the MSHA approved Pillar Splitting Plan

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
Sign Name, Position, Date ^{12/16/04} Manager, Environmental Permitting

Subscribed and sworn to before me this _____ day of _____, 20____

Notary Public
My commission Expires: _____, 20____ }
Attest: State of _____ } ss:
County of _____

For Office Use Only:	Assigned Tracking Number:	Received by <u>Oil, Gas, & Mining</u> <div style="text-align: center; font-size: 1.2em; font-weight: bold;">RECEIVED</div> <div style="text-align: center; font-size: 1.5em; font-weight: bold;">DEC 13 2004</div> DIV. OF OIL, GAS & MINING
-----------------------------	----------------------------------	---

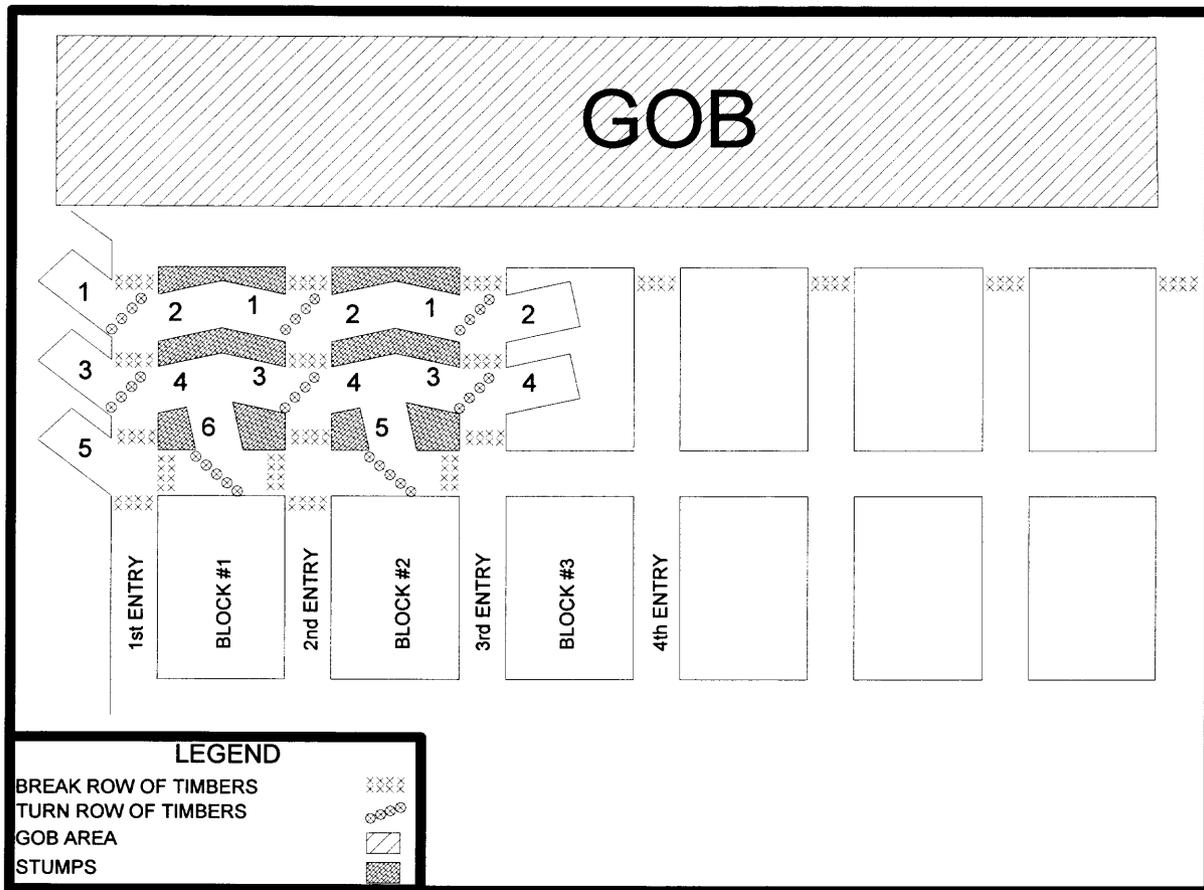
The mining method used is room and pillar with partial pillar removal. Full extraction mining is not practiced at Emery. As a result, any subsidence would fall into the unplanned category. Figure ~~1V-2~~ pg. 28 shows the partial pillar splitting diagram ~~range of pillar and room dimensions employed underground.~~ These layouts are the result of past experience as well as state and federal regulations pertaining to roof control and ventilation. ~~Roof spans are based on the same criteria. Roof spans are limited to 18 ft. except in second pass mining of pillars, in which case they can be as wide as 20 ft. Figures V-3 and V-4 show the second pass mining methods for partial pillaring during retreat from the section.~~ This methodology has been approved by MSHA.

Consol intends to prevent subsidence from affecting Quitchupah Creek, Christiansen Wash and the alluvial valley floor area on the west side of the permit area (Refer to Plate V-5). An intermittently occupied dwelling in Section 30 will also be protected from subsidence. As of the date of this writing, a subsidence waiver has not been obtained on this dwelling. At such time as a waiver is obtained, the Division shall be notified and the buffer around this dwelling will be removed. Other than these features, the presubsidence survey, and our knowledge of the permit area confirms that there aren't any structures overlying present or future underground workings for which mitigation of subsidence effects would be overly difficult.

The three above noted features will be protected by establishing buffer zones which in turn are created by leaving coal pillars of adequate size beneath these areas. The dimensions of the buffer zone will be determined by the overburden depth and the angle of draw. With respect to Quitchupah Creek and Christiansen Wash, the buffer zone will include an additional standoff distance of 100 ft. on either side, as required by UMC 817.57. The pillar dimensions are based on established geotechnical information and a factor of safety for long term pillar stability.

~~The following analysis shows how pillar sizes are determined to be of adequate size. The ultimate compressive strength of the coal was determined by Consol's Research and Development Department, in Library, PA, to be 5,500 psi as measured on cylindrical specimens measuring 2" in diameter by 4" high. Consol uses an 18° angle of draw for all of our mines. It represents the maximum (as measured from vertical) exhibited by full extraction panels in our eastern mines. In that the SUFCO No. 1 mine has measured 11° and UP&L's Deer Creek Mine exhibits less than 7° the use of 18° for Emery partial pillar and development sections is very conservative. In relating pillar strength to pillar size for barrier protection, a minimum factor of safety of 1.75 is confirmed by Dr. D. S. Choi of Consol Research and Development, who is a recognized expert in this field.~~

**PILLAR SPLIT PLAN SITE SPECIFIC FOR
2ND SOUTH**



**Figure 1: Partial Extraction with Timbers for Supplemental Support
Mirror image applies**