

0009



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

1594 West North Temple, Suite 1210
PO Box 145801
Salt Lake City, Utah 84114-5801
(801) 538-5340 telephone
(801) 359-3940 fax
(801) 538-7223 TTY
www.nr.utah.gov

OLENE S. WALKER
Governor
Robert L. Morgan
Executive Director
Lowell P. Braxton
Division Director

*Outgoing
07/015/0015*

DIVISION OF OIL, GAS AND MINING
FACSIMILE COVER SHEET

DATE: February 20, 2004
FAX #: 618-625-6844
ATTN: John Jeffers
COMPANY: _____
DEPARTMENT: _____

NUMBER OF PAGES: (INCLUDING THIS ONE) 2

FROM: A. Nance

If you do not receive all of the pages, or if they are illegible, please call (801)538-5340. We are sending from a Sharp facsimile machine. Our telecopier number is (801)359-3940.

MESSAGE:

Important: This message is intended for the use of the individual or entity of which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return this original message to us at the above address via regular postal service. Thank you.



State of Utah

Department of
Natural Resources

Division of
Oil, Gas & Mining

ROBERT L. MORGAN
Executive Director

LOWELL P. BRAXTON
Division Director

OLENE S. WALKER
Governor

GAYLE F. McKEACHNIE
Lieutenant Governor

February 20, 2004

John Gefferth, Permit Coordinator
Consolidation Coal Company
P. O. Box 566
Sesser, Illinois 62884

Re: Conditional Approval of Abatement Plan for N03-39-1-1, Consolidation Coal Company, Emery Deep Mine, C/015/0015, Task ID #1819, Outgoing File

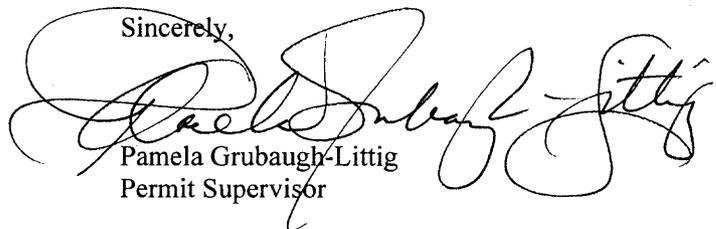
Dear Mr. Gefferth:

The information received January 27, 2004 and via email on February 18, 2004 to abate N03-39-1-1 was reviewed and is hereby conditionally approved, pending the receipt of five clean copies and an accompanying C1C2 form. The Technical Analysis dated February 18, 2004, is attached for your review. As a result of this review, the Division understands that the disturbed area is 66.7 acres (and the permit area is 5,060 acres).

The success of Phase I dust control will be determined objectively through opacity measurements and surface percent cover east of the permit area. A non-biased third party, such as the Natural Resource Conservation Service, will establish the baseline for percent cover. The monitoring will be conducted only during active operations when production, stockpile accumulation and/or truck haulage is ongoing. The monitoring period will last for a cumulative time of one and one half years (periods of inactivity as a result of no truck haulage, no stockpile or no production will not count towards the cumulative one and one half years of monitoring.). If monitoring of Phase I indicates an increase above baseline in the percent cover outside the permit area, the Phase II dust control plan must be implemented.

The Division commends your patience and tenacity in pursuing the positive developments described in this submittal. The commitment to implement Phase I of the Norwest dust control plan followed by Phase II, should Phase I be unsuccessful, is critical to the Division's goal of no off-site impacts. If you have any questions, please call Priscilla Burton at (801) 538-5288 or me at (801) 538-5268.

Sincerely,



Pamela Grubaugh-Littig
Permit Supervisor

an
cc: Price Field Office
O:\015015.EME\FINAL\Con1819.doc

TRANSACTION REPORT

FEB-20-2004 FRI 03:40 PM

FOR: OIL, GAS & MINING 801 359 3940

DATE	START	RECEIVER	TX TIME	PAGES	TYPE	NOTE	M#	DP
FEB-20	03:39 PM	16186256844	58"	2	SEND	OK	386	
TOTAL :						58S PAGES:	2	



State of Utah
 DEPARTMENT OF NATURAL RESOURCES
 DIVISION OF OIL, GAS AND MINING

OLENE S. WALKER
 Governor
 Robert L. Morgan
 Executive Director
 Lowell P. Braxton
 Division Director

1594 West North Temple, Suite 1210
 PO Box 145801
 Salt Lake City, Utah 84114-5801
 (801) 538-5340 telephone
 (801) 359-3940 fax
 (801) 538-7223 TTY
 www.nr.utah.gov

**DIVISION OF OIL, GAS AND MINING
 FACSIMILE COVER SHEET**

DATE: February 20, 2004

FAX #: 618-625-6844

ATTN: John Jeffers

COMPANY: _____

DEPARTMENT: _____

NUMBER OF PAGES: (INCLUDING THIS ONE) 2