

**CONSOL ENERGY**

Consolidation Coal Company

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

January 10, 2005

Mr. Lowell Braxton, Director
Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
Box 145801
Salt Lake City, Utah 84114-5801*Incoming
1/15/0015*Re: Emery Deep Mine Permit C/015/015
Amendment to MRP (Additional boundary to facilitate 1st North)

Dear Mr. Braxton:

Please consider this an amendment to the Mine Reclamation Plan for the Emery Mine. Per the ongoing expansion of the Emery Mine, additional reserves need to be brought under permit. The additional 352 acres of boundary are needed to allow for uninterrupted mining. All surface and coal are controlled in fee by Consolidation Coal Company. One tract (211-056, 211-057: Chapter I, Appendix I-2, page 9) located in the S ½ NE ¼ of Section 27 was shown as Consol owning the surface and Consol controlling the coal via a coal lease from L. Hunter. This was a mistake on the original map. Consol controls in fee both the surface and coal on this tract. A legal opinion is being prepared to substantiate this. Also, we have not included tract 677-007 in this boundary addition. This tract is private surface and Federal coal. Due to the urgent need to continue mining south of this tract, it will be included in a subsequent amendment.

Due to the overlying shallow cover (80-100 feet) of this additional area, and lack of any substantial aquifer, there will be no changes to the Probable Hydraulic Consequence, and no water replacement issues. There will be no planned subsidence in this additional area. Due to the fact that there will be no planned subsidence (i.e. no surface disturbance) there should be no threatened and endangered species concerns or cultural and historic concerns.

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

Sincerely,

John Gefferth
Environmental Engineer

CC: Steve Demczak – DOGM-Price Field Office-with attachments

Attachments

RECEIVED

JAN 11 2005

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: 1ST North boundary addition

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

Additional boundary to facilitate 1st North mining

Instructions: If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

- | | |
|---|---|
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 1. Change in the size of the Permit Area? Acres: _____ Disturbed Area: _____ <input type="checkbox"/> increase <input type="checkbox"/> decrease. |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 2. Is the application submitted as a result of a Division Order? DO# _____ |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 4. Does the application include operations in hydrologic basins other than as currently approved? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 6. Does the application require or include public notice publication? |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 7. Does the application require or include ownership, control, right-of-entry, or compliance information? |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 9. Is the application submitted as a result of a Violation? NOV # _____ |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 10. Is the application submitted as a result of other laws or regulations or policies?
<i>Explain:</i> _____ |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 11. Does the application affect the surface landowner or change the post mining land use? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2) |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 13. Does the application require or include collection and reporting of any baseline information? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 15. Does the application require or include soil removal, storage or placement? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 16. Does the application require or include vegetation monitoring, removal or revegetation activities? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 17. Does the application require or include construction, modification, or removal of surface facilities? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 18. Does the application require or include water monitoring, sediment or drainage control measures? |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 19. Does the application require or include certified designs, maps or calculation? |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 20. Does the application require or include subsidence control or monitoring? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 21. Have reclamation costs for bonding been provided? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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 12/20/04
Sign Name, Position, Date
Manager, Environmental Permits

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 Oil, Gas & Mining <div style="text-align: center;">  JAN 11 2005 DIV. OF OIL, GAS & MINING </div>
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