

**CONSOL ENERGY™**

Consolidation Coal Company

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April 6, 2005

Pamela Grubaugh-Littig  
 Utah Division of Oil, Gas and Mining  
 Coal Program  
 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 (Additional boundary to facilitate 1<sup>st</sup> North, re-submittal)

*Heering  
 4/15/05 OK  
 Task #2222*

Dear Mrs. Grubaugh-Littig:

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 348 acres of boundary are needed to allow for uninterrupted mining. All of the coal within the IBC is controlled in fee by Consolidation Coal Company. All of the surface within the IBC is controlled by Consol except one tract in the SE1/4NW1/4 of Section 22, owned by K & E Christansen. One tract (211-056, 211-057: Chapter I, Appendix I-2, page 9) located in the S1/2NE1/4 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. 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.

The submittal format is a stand alone Chapter XII. All of the pertinent data is contained for review within this volume. A few surface and coal control pages have been edited for replacement in the MRP, as well as a few of the maps.

Due to the overlying shallow cover (80-400 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

file In C 0150015 Incoming  
 Date: 040605, Refer to:

# 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:** 1<sup>ST</sup> North boundary addition

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

Additional boundary to facilitate 1<sup>st</sup> 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: <u>348</u> Disturbed Area: _____ <input checked="" 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 checked="" type="checkbox"/> Yes <input 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 4/2/05  
Sign Name, Position, Date

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Notary Public

My commission Expires: \_\_\_\_\_, 20\_\_\_\_ }

Attest: State of \_\_\_\_\_ } ss:  
County of \_\_\_\_\_ }

<b>For Office Use Only:</b>	<b>Assigned Tracking Number:</b>	<b>Received by Oil, Gas &amp; Mining</b>

