

0009



**CONSOL ENERGY**

Consolidation Coal Company  
P.O. Box 566  
Sesser, IL 62884  
Phone: (618) 625-2041  
Fax: (618) 625-6844

March 23, 2006

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  
1<sup>st</sup> North IBC condition (Revised Maps second batch deficiency response)

*Jacoming*  
*C/015/0015*  
*#2467*

Dear Mrs. Grubaugh-Littig:

Per your request, consider these responses to satisfy your staff's deficiencies, as outlined in separate emails on 1/27/06, related to the above amendment condition. We are submitting three (3) revised maps to address the deficiencies. The appropriate C1 and C2 forms have also been provided. This submittal should satisfy the permit condition. Enclosed please find three (3) complete sealed copies of the submittal. One sealed copy has been forwarded to your Price field office.

Also as part of the map project Consol has updated Plate I-1, Surface and Coal Ownership, as well as the corresponding Appendix I-2, list of surface owners in Chapter I. Plate V-2, Pre-Subsidence Survey- Roadways has been updated with the new county road. Plate VI-10, Surface Drainage Control has been updated with detailed topography within the disturbed watersheds. With respect to Plate IX-1, Raptor Protection, the IBC boundary is not depicted on this plate and it was not included in this re-map project. If the deficiency was referring to Plate XI-1, Alluvial Valley Floor, the IBC boundary was added to that plate in the 1/6/06 submittal. With respect to Plate IX-2, Power Line Angle Pole Structure, the IBC boundary is not depicted on this plate and it was not included in this re-map project.

If the two deficiencies above were referring to Plates 1 and 2 in Appendix XI-1, these two plates can not be revised due to the fact that they were part of a consultant report prepared by WATEC, Inc. in 1980. The two plates in question do not have the permit boundary on the map but depict a project boundary for the study area. As a result, they were not submitted as part of the re-map project.

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

Sincerely,

*John Gefferth*  
John Gefferth  
Environmental Engineer

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

JAG/jag emboundrev.condition.2ndmaps.defers.doc

File in: *C/0150015 Jacoming*  
Refer to:  
 Confidential  
 Shelf  
 Expandable  
Date *03/23/06* For additional information

RECEIVED  
MAR 23 2006  
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:** 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 ,Permit condition (map deficiency response)

**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:* Per permit condition to revise all MRP maps
- 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.

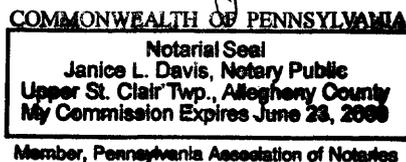
Jonathan M. Pachter  
Print Name

Jonathan M. Pachter 3/29/06  
Sign Name, Position, Date  
Director, Permitting and Water Resources

Subscribed and sworn to before me this 20<sup>th</sup> day of March, 2006

Janice L. Davis  
Notary Public

My commission Expires: June 23, 2009 }  
Attest: State of Pennsylvania } ss:  
County of Allegheny



<b>For Office Use Only:</b>    	Assigned Tracking Number:	Received by Oil, Gas & Mining  <div style="text-align: center; font-weight: bold; font-size: 1.2em;">RECEIVED</div> <div style="text-align: center; font-weight: bold; font-size: 1.2em;">MAR 23 2006</div> <div style="text-align: center; font-weight: bold; font-size: 0.8em;">DIV. OF OIL, GAS &amp; MINING</div>
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