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## United States Department of the Interior

BUREAU OF LAND MANAGEMENT  
Utah State Office  
P.O. Box 45155  
Salt Lake City, UT 84145-0155  
<http://www.blm.gov>



IN REPLY REFER TO:  
UTU-73335 (LMU)  
U-5287, U-50044  
(UT-923)

JAN 18 2007

Certified Mail-Return Receipt Requested

Mr. Ronald Stovash  
Senior Vice President -- Coal  
CONSOL ENERGY  
Consolidation Coal Company  
CNX Coal Operations Support  
1800 Washington Road  
Pittsburgh, PA 15341-1421

*Irwin*  
*1/15/2007*  
*Copy PM*

Re: Minor Modification to the Resource Recovery and Protection Plan (R2P2), Full Extraction Mining, Emery Mine

Dear Mr. Stovash:

On November 27, 2006, the Bureau of Land Management (BLM) received a request (dated November 8, 2006) from Consolidation Coal Company to modify the subject R2P2 and to adjust their LMU. The R2P2 modification expands the mine plan and reflects full extraction tonnages and techniques for both of Consol's Federal coal leases (U-50044 and U-5287).

Consol requests that additional acreage be added to the LMU, and plans further expansion of this mine in the I coal seam to the north and east of the new 4<sup>th</sup> East portal. The R2P2 modification request cites the new portal location and the sealing of a portion of the old works as reasons for requiring the modification. Access to LMU reserves from the old portal location is no longer possible due to the sealing; however, reserves on both Federal coal leases, U-5287 and U-50044, are accessible from the new portal. Mine maps showing drillhole locations and locations of cross sections, coal ownership, ventilation plans, and timing sequence have been submitted. This modification request provides for full pillar extraction.

The BLM approves the subject R2P2 modification, which allows for a more efficient mine plan and a longer useful life of the recently-constructed 4<sup>th</sup> East Portal. Maximum Economic Recovery (MER) of coal on the subject Federal leases will be achieved by full extraction mining. The combined recoverable reserve base tonnage for the two lease tracts (labeled F-9 and F-10 in the R2P2 request) remains unchanged at 4,892,000 tons, according to Table 1 of the LMU / R2P2 modification request documents.

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DIV. OF OIL, GAS & MINING

The approval of a minor modification to an existing R2P2 is Categorically Excluded from National Environmental Policy Act (NEPA) analysis since no new surface disturbance will occur from this action. (Overview of BLM's NEPA Process, February 1997, Appendix 2, page 2-7 (F)(7).)

Consol's proposed change to the R2P2 complies with the Mineral Leasing Act of 1920, as amended, the regulations at 43 CFR 3480, the lease terms and conditions, and will achieve Maximum Economic Recovery (MER) of the Federal coal. A copy of the approved mine map is enclosed.

If you have any questions, please contact Steve Rigby of the Price Field Office at (435) 636-3604 or Jeff McKenzie of my staff at (801) 539-4038.

Sincerely,

JAMES F KOHLER

James F. Kohler  
Chief, Solid Minerals

Enclosure:  
Approved Mine Maps

cc: Price Field Office (w/encl.)  
Utah Division of Oil Gas and Mining (w/o encl.)  
1594 West North Temple, Suite 1210  
Salt Lake City, Utah 84114-5801  
Price, UT-070

Consol Emery R2P2 Mod mining 1-12-07 pb-sa