

0050

From: "Gefferth, John" <JohnGefferth@consolenergy.com>
To: "Steve Christensen" <stevechristensen@utah.gov>
Date: 5/9/2007 11:33 AM
Subject: Per phone
Attachments: CHVpg39.507.doc

Steve

Attached is Chapter V Page 39 revised.

Call if questions

John Gefferth

Consol Energy

P.O. Box 566

Sesser, Illinois 62884

618-625-6850 office

618-534-5151 cell

618-625-6844 fax

www.consolenergy.com <<http://www.consolenergy.com>>

*Issuing
5/10/07 10:01 AM*

If subsidence should materially damage, reduce the value, or alter the usage of surface lands and structures, Consol intends to do the following:

1. If it is demonstrated to the satisfaction of Consol that subsidence attributed to mining operations has materially damaged a significant structure or reduced its value, or if surface lands have been reduced in value or the usage altered, Consol will mitigate the damage as mutually agreed upon by Consol and the owner of record. With respect to ~~the areas designated as full extraction as noted on Plate V-5, 1st South full extraction panel, Consol is the surface owner of record.~~ the surface effects of subsidence over these the 1st South panel are areas is expected to be mostly surface tension cracks, and depressions. These cracks will be graded and /or backfilled as required. If the planned subsidence does not pose a safety hazard, does not adversely impact the foreseeable use, and no diminution of value has occurred, Consol in consultation with the surface owner of record and DOGM may leave the effects un-mitigated. Consol realizes that the mitigation of some area would result in more surface effects than the actual subsidence. If it is decided to mitigate a site the ingress and egress path to the site will be left in a stable manner per the surface owners desires. The options that may be used in the mitigation process may include, but are not limited to, the following, as outlined and expanded upon, in UMC 817.124 of the Permanent Regulatory Program:

(a) Restore, rehabilitate, or remove and replace, to the extent technologically and economically feasible, each materially damaged structure, feature or value.

(b) Purchase the damaged structure or feature (except structures or features owned by the person who conducts the underground coal mining activities) for its pre-subsidence fair market value. To the extent technically and economically feasible, restoration will be achieved within a reasonable period of time after the damage from subsidence has occurred. The issue of timing is discussed in the response to UMC 817.124.

(c) Compensate the owner of any surface structure that has been materially damaged by subsidence. This can be accomplished by purchasing a noncancellable insurance policy as described in UMC 817.124(b)(3).

Revised 8/05
Revised 5/07

From: Steve Christensen
To: John Gefferth
Date: 5/9/2007 1:47 PM
Subject: Re: Per phone
Attachments: CHVpg39.507.doc

CC: Pam Grubaugh-Littig
John,

Attached is page 39 of Chapter V. Per our phone conversation, I've went ahead and made some suggestions. Take a look and give me a call.

Thanks,
Steve

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From: "Gefferth, John" <JohnGefferth@consolenergy.com>
To: "Steve Christensen" <stevechristensen@utah.gov>
Date: 5/9/2007 2:24 PM
Subject: RE: Per phone

Steve

ok by me

thanks

From: Steve Christensen [mailto:stevechristensen@utah.gov]
Sent: Wednesday, May 09, 2007 2:47 PM
To: Gefferth, John
Cc: Pam Grubaugh-Littig
Subject: Re: Per phone

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Subject: Page 39 Chapter V
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I apologize. I meant to add this language the first time.

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Subject: RE: Page 39 Chapter V

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