

**CONSOL ENERGY™**

Consolidation Coal Company

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

May 31, 2007

Pamela Grubaugh-Littig  
Utah Division of Oil, Gas and Mining  
Coal Program  
1594 West North Temple, Suite 1210  
Box 145801  
Salt Lake City, Utah 84114-5801Re: Emery Deep Mine Permit C/015/015  
Clean Copy Submittal of Amendment to MRP (re-submittal of full extraction pillar splitting plan, planned subsidence 14<sup>th</sup> West panel and Updated Pre- Subsidence Survey 14<sup>th</sup> /15<sup>th</sup> West Panels.)

Dear Mrs. Grubaugh-Littig:

*Incoming  
C/015/015*

Per your May 23, 2007 conditional approval please consider this a Clean Copy re-submittal of Consol's full extraction and updated pre-subsidence survey amendments to the Mine Reclamation Plan for the Emery Mine. Enclosed please find six (6) copies of the above mentioned amendment and a cd with the entire submittal. Also attached please find executed C1 and C-2 forms. A hard copy of the submittal as well as a cd have been forwarded to your Price field office.

Per the ongoing expansion of the Emery Mine, Consol plans to increase the resource recovery by utilizing a pillar splitting plan that would fall into the planned subsidence category. This plan is for the 14<sup>th</sup> West panel only. Consol will obtain MSHA approval prior to commencing pillar splitting.

The remaining portions of the PHC, that were not revised and updated in the previous Federal IBC, will be updated and submitted by July 2, 2007 per the above mentioned conditional approval.

The archeology and SHPO concurrence for these areas has been completed under the previously approved Federal IBC.

Consol has updated the previously approved pre subsidence survey for the 14<sup>th</sup> and 15<sup>th</sup> West panel areas, and inserted the update as Appendix V-4 in Chapter V. Copies of this survey have been forwarded to the respective landowners and water conservation district, and can be viewed at the mine site

The vegetation report found at CH VIII, App. VIII-3 covers the 14<sup>th</sup> West area and areas that will be requested for full extraction in the near future. The wildlife map, CH IX - Plate 10-1, was updated for the entire permit area under the previously approved Federal IBC.

A commitment has been made not to full extract within a buffer zone near the county road until a signed mitigation agreement has been reached with Emery County. The buffer zone can be found at Appendix V-4, Fig. 1.

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

Sincerely,

John Gefferth  
Environmental Engineer

CC: Karl Houskeeper - DOGM-Price Field Office-with attachments

Attachments

JAG/jag fullextrac2.presubsurv.rerecomb.507.cln.doc

File in:

C/015/015, 2007, Incoming

Refer to:

 Confidential Shelf Expandable

Date 5/31/07 For additional information

RECEIVED

JUN 05 2007

DIV. OF OIL, GAS &amp; 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:** Full extraction pillar splitting, 14<sup>th</sup> West Panel, Updated Pre Subsidence Survey 14<sup>th</sup> /15<sup>th</sup> W Panels

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

Planned Subsidence 14<sup>th</sup> W Panel , Updated Pre Subsidence Survey 14<sup>th</sup> /15<sup>th</sup> W Panels Clean copies 5/25/07

**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:* \_\_\_\_\_
- 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)

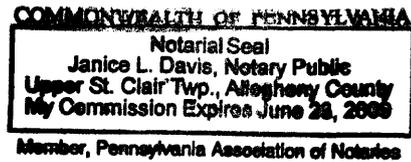
I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

Jonathan M. Pachter  
Print Name

Jonathan M. Pachter 5/25/07  
Sign Name, Position, Date Director, Permitting and Water Resources

Subscribed and sworn to before me this 25<sup>th</sup> day of May, 2007

Notary Public Janice L. Davis  
My commission Expires: June 23, 2009 }  
Attest: State of Pennsylvania } ss:  
County of Allegheny



**For Office Use Only:**

Assigned Tracking Number:

Received by Oil, Gas & Mining

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JUN 05 2007

