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

August 3, 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 84114-5801

*Incoming  
C/015/015*

Re: Emery Deep Mine Permit C/015/015  
Amendment to MRP (submittal of full extraction pillar splitting plan, planned subsidence 15<sup>th</sup> West, 4<sup>th</sup> East, and 6<sup>th</sup> West panels, updated Chapter VI Hydrology, updated surface property control, and updated roof & floor analysis.)

Dear Mrs. Grubaugh-Littig:

Per your April 11, 2007 conditional approval please consider this a submittal of Consol's additional full extraction areas, updated Chapter VI Hydrology (PHC), updated surface property control and additional roof & floor analysis in the 1<sup>st</sup> North area. Also attached please find executed C1 and C-2 forms. A copy of the submittal has 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 full extraction plan is for the 15<sup>th</sup> West, 4<sup>th</sup> East, and 6<sup>th</sup> West panels. Consol will obtain MSHA approval prior to commencing pillar splitting. The archeology and SHPO concurrence for these areas has been completed under the previously approved Federal IBC.

At the request of Division staff, the entire Chapter VI has been revised. The Hydrology section has been organized to follow the R645-301-700 regulations. All pertinent maps, tables and figures have been updated using all available data. Additionally a Modflow prediction model has been incorporated in the section. Several of the original Plates have been renumbered for ease of review. CH VI Table of Contents lists the ones that have been changed as well as the C-2 form.

Consol will update the previously approved pre subsidence survey for the 4<sup>th</sup> East and 6<sup>th</sup> West panel areas, and submit prior to beginning full extraction. Copies of this survey will be 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 fullextracPHC.15w4e6w.doc

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File in: C/015/015, 2007, Incoming  
Refer to:  
 Confidential  
 Shelf  
 Expandable  
Date 8/3/07 For additional information

# 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:** PHC update, planned subsidence for 15<sup>th</sup> W, 4<sup>th</sup> E, 6<sup>th</sup> W

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

Total PHC update, Planned Subsidence for the, 15<sup>th</sup> W, 4<sup>th</sup> E, 6<sup>th</sup> W

7/07

**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)

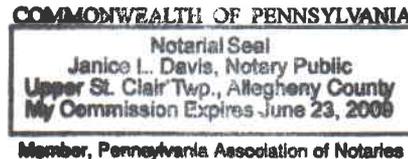
I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

Jonathan M. Pachter  
Print Name

Jonathan M. Pachter 7/27/07  
Sign Name, Position, Date General Manager, Environmental Services

Subscribed and sworn to before me this 27th day of July, 2007

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



<p><b>For Office Use Only:</b></p>	<p>Assigned Tracking Number:</p>	<p>Received by Oil, Gas &amp; Mining</p> <p style="text-align: center; color: red; font-weight: bold; font-size: 1.2em;">RECEIVED</p> <p style="text-align: center; color: red; font-weight: bold; font-size: 1.2em;">AUG 03 2007</p> <p style="text-align: center; color: red; font-weight: bold; font-size: 0.8em;">DIV. OF OIL, GAS &amp; MINING</p>
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# APPLICATION FOR COAL PERMIT PROCESSING

## Detailed Schedule Of Changes to the Mining And Reclamation Plan

Permittee: Consolidation Coal Company

Mine: Emery Mine

Permit Number: 015/015

Title: PHC update,planned subsidence for 15th W,4th E,6th W

7/07

Page 1

Provide a detailed listing of all changes to the Mining and Reclamation Plan, which is required as a result of this proposed permit application. Individually list all maps and drawings that are added, replaced, or removed from the plan. Include changes to the table of contents, section of the plan, or other information as needed to specifically locate, identify and revise the existing Mining and Reclamation Plan. Include page, section and drawing number as part of the description.

### DESCRIPTION OF MAP, TEXT, OR MATERIAL TO BE CHANGED

			DESCRIPTION OF MAP, TEXT, OR MATERIAL TO BE CHANGED
<input type="checkbox"/> Add	<input type="checkbox"/> Replace	<input checked="" type="checkbox"/> Remove	Chapter I, App I-2, pages 1,1a,2,3,3a,4,4a,5,5a,6,6a,7,7a (old surface property control)
<input checked="" type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	Chapter I, App I-2, pages 1,2,3,4,5,6,7 (new surface property control)
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Chapter V, Tabel of Contents
<input checked="" type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	Chapter V, Pages 15a through 15e (roof & floor analysis 1 <sup>st</sup> North area)
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Chapter I, Plate I-1, Surface and Coal Ownership
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Chapter V, Plate V-5 Subsidence Monitoring Points and Buffer Zones (add full extract)
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Chapter VIII, Plate VIII-1, Vegetation and Landuse Map (add full extract)
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Chapter IX, Plate 10-1, Selected Wildlife Information (add full extract)
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Chapter X, Plate X.A-1,Permit Area Cultural Resources (CONFIDENTIAL add full extract)
<input type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	
<input type="checkbox"/> Add	<input type="checkbox"/> Replace	<input checked="" type="checkbox"/> Remove	Chapter VI pages 1 through190 (old hydrology section text)
<input type="checkbox"/> Add	<input type="checkbox"/> Replace	<input checked="" type="checkbox"/> Remove	Chapter VI Figures VI-5 (2), 6 (2), 7 (2), 8, 9(2) (old hydrograph figures)
<input checked="" type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	Chapter VI Hydrology text, tabels and figures (revised hydrology section)
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<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Chapter VI App VI-1 Groundwater Monitoring-Water Quality Data (updated data)
<input type="checkbox"/> Add	<input type="checkbox"/> Replace	<input checked="" type="checkbox"/> Remove	Chapter VI App VI-4 Permit renewal water samples (old water data now included in VI-5)
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Chapter VI App VI-4 Water Rights (inserted data)
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Chapter VI App VI-5 Surface Water Monitoring- Flow & Water Qual Data (updated data)
<input checked="" type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	Chapter VI App VI-10 Groundwater Monitoring - Water Level Data (inserted data)
<input checked="" type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	Chapter VI App VI-11 USGS Streamflow Data (inserted data)
<input checked="" type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	Chapter VI App VI-12 UPDES Monitoring Data (inserted data)
<input checked="" type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	Chapter VI App VI-13 Data from Misc Surface Water Qquality Studies (inserted data)
<input checked="" type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	Chapter VI App VI-14 Mass-Balance Estimates of Future Mine-Water Discharges (inserted )
<input checked="" type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	Chapter VI App VI-15 MODFLO Report (inserted data)
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Any other specific or special instruction required for insertion of this proposal into the Mining and Reclamation Plan.

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