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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>



Treating
 9/15/0015

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

OCT 26 2007

Certified Mail--Return Receipt Requested

RECEIVED

OCT 30 2007

DIV. OF OIL, GAS & MINING

Mr. Brent Dodrill
 Senior Vice President – Coal
 CONSOL ENERGY
 Consolidation Coal Company
 1800 Washington Road
 Pittsburgh, PA 15241-1421

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

Dear Mr. Dodrill:

Background: On August 17, 2007, the Bureau of Land Management (BLM) received a Consolidation Coal Company written request for an R2P2 modification involving the Emery Mine. Consol verbally requested panel layout and timing changes to mining on Federal leases U-5287 and U-50044 previous to their August 17th submittal. A verbal approval of this R2P2 modification was issued on July 24, 2007 by BLM inspector Steve Rigby.

Affected Leases: The following Federal coal leases are affected by this action: U-5286 and U-50044. The Logical Mining Unit (LMU) UTU-73335 is also affected by this action.

Proposal: On July 9, 2007 the BLM approved Consolidation Coal Company's request for adding 6 entries in Panel 6 West, the addition of 4 entries in Panel 4 West, the omission of Panel 5 West, the addition of a mining area at the end of 14 West, and corrected remaining Federal recoverable coal reserve projections that account for the proposed modifications to the bleeders and panels. These proposed changes slowed the advance of mining.

Consolidation Coal Company is now requesting written approval for the addition of 4 entries in Panel 14 West and the addition of 4 entries in Panel 13 West. In addition, development and retreat of twelve pillars inby crosscut 27 and retreat mining along the No. 1 entry barrier in Panel 14 West are no longer projected. As a result of Panel 14 West and Panel 13 West being widened, Panel 4E has been omitted and the panel nomenclature along 8th South has changed. Revisions to the reserve estimates reflect the change in the mine plan.

Inspection: The mine was inspected on January 23, 2007, May 10, 2007, and July 24, 2007. The timing and layout of mining were being modified as planned.

Approval: The BLM approves the subject R2P2 modifications. Copies of the approved mine maps are included as Enclosures 1 and 2.

This approval is for the recovery of coal within the Federal coal lease area only as shown on the attached map. This approval does not address or approve the mine pillaring methods, layout, or sequence. Future mine plan R2P2 submissions for areas of full extraction or retreat mining need only indicate the expected overall coal recovery tonnage and percent recovery. This approval is provided by BLM only; all other approvals by other entities and agencies are not part of this approval. The approved mine plan is enclosed for Lease U-5287. Please refer to the previously approved (1/17/07) mine plan for Lease U-50044 which has not changed.

Maximum Economic Recovery (MER): This modification does not negatively affect MER, and will result in a slight increase in coal recovery due to the widening of two continuous miner panels to account for the removal of Panel 4E.

Recoverable Reserve Base: After review, BLM agrees Consol's projected remaining recoverable coal reserves for Federal coal leases U-5287 and U-50044. The recoverable reserve base for these two leases is now 1,176,076 recoverable tons in lease U-50044, 825,203 recoverable tons in lease U-5287 and 9,045,543 recoverable tons in Moab I LMU (UTU-73335).

National Environmental Policy Act (NEPA): This approval of a minor modification to an approved R2P2 of an existing underground coal mine is Categorically Excluded from NEPA analysis, as explained in the Department Manual (5 DM Part 516 11.5 (F) (8)).

The BLM has determined that this modification complies with the Mineral Leasing Act of 1920, as amended, the regulations at 43 CFR 3480, and the lease terms and conditions. If you have any questions, please contact Steve Rigby in 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 Branch

Enclosure:

Approved Mine Timing Map

cc: UT-070, Price Field Office (w/ Enclosure)

Utah Division of Oil, Gas and Mining (w/ Enclosure)
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84114-5801

Mr. Russell Hardy (w/ Enclosure)
Mine Engineer
Emery Mine
P. O. Box 527
Emery, Utah 84522

Final Approval Panel 14 area lease JM-SA 10-24-07

**MINING PLAN APPROVED BY
BUREAU OF LAND MANAGEMENT**

Recommended By:

[Signature]
Mining Engineer (Date)

Approved By:

[Signature]
Manager (Date) 10/25/2002

