



November 09, 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
Refuse area Citation #10005
Additional information*Jacquin JOK*
C/015/0015
#2877

Dear Mrs. Grubaugh-Littig:

Per the Divisions October 31, 2007 deficiency letter please consider this a submittal to address those deficiencies.

Consol requests that the existing Coal Mine Waste Pile remain in its current location as the active pile until mining ceases. When mining is complete and final reclamation begins, Consol intends to remove the Coal Mine Waste Pile and bury it in the previously approved (5/3/89) Permanent Development Waste Disposal Site (map ID 9, Plate II-1).

This submittal contains detailed design data and maps for the drainage ditches that convey water from the disturbed area (Coal Stockpile/existing Coal Mine Waste Pile) to Pond 8, as well as design data for a drainage ditch to convey drainage from the reclaimed permanent development waste disposal site. As can be seen in the submittal, the HEC-HMS hydraulic model was used to show that the existing drainage structures will convey the appropriate storm volumes. We have updated Plate II-1 (Structures & Facilities Main Portal Area). We have also included design detail on the existing Coal Mine Waste Pile.

Consol intends to initiate geotechnical analysis of the Coal Mine Waste Pile to document that the pile meets the requirements of R645-301-536-110 (slope stability). Consol will also analyze the pile for compaction. This field and lab work will be completed and submitted to the Division by December 31st, 2007.

Enclosed please find three (3) copies for your review and executed C1 and C2 forms. A hard copy will be forwarded to your Price field office.

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

Sincerely,

John Gefferth
Environmental EngineerCC: Karl Houskeeper – DOGM-Price Field Office-with attachments
Attachments

JAG/jag emrefuse.NOV10005.addinfo.doc

File in:
C/0150015, 2007, Incoming
Refer to:
 Confidential
 Shelf
 Expandable
Date: *11-09-07* For additional information

RECEIVED

NOV 09 2007

DIV. OF OIL, GAS & 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: Refuse N.O.V. #10005

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

additional info, citation abatement submittal

11/07

Instructions: If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

- 1. Change in the size of the Permit Area? Acres: _____ Disturbed Area: _____ increase decrease.
2. Is the application submitted as a result of a Division Order? DO# _____
3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?
4. Does the application include operations in hydrologic basins other than as currently approved?
5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?
6. Does the application require or include public notice publication?
7. Does the application require or include ownership, control, right-of-entry, or compliance information?
8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
9. Is the application submitted as a result of a Violation? NOV # 10005
10. Is the application submitted as a result of other laws or regulations or policies?

Explain: _____

- 11. Does the application affect the surface landowner or change the post mining land use?
12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)
13. Does the application require or include collection and reporting of any baseline information?
14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
15. Does the application require or include soil removal, storage or placement?
16. Does the application require or include vegetation monitoring, removal or revegetation activities?
17. Does the application require or include construction, modification, or removal of surface facilities?
18. Does the application require or include water monitoring, sediment or drainage control measures?
19. Does the application require or include certified designs, maps or calculation?
20. Does the application require or include subsidence control or monitoring?
21. Have reclamation costs for bonding been provided?
22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?
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

Jonathan M. Pachter 11/2/07
Sign Name, Position, Date Gen. Mgr., Environmental Services

Subscribed and sworn to before me this 2nd day of November, 2007

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

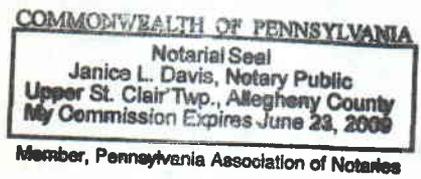


Table with 3 columns: For Office Use Only, Assigned Tracking Number, Received by Oil, Gas & Mining. Includes 'RECEIVED' stamp dated NOV 09 2007 and 'DIV. OF OIL, GAS & MINING'.

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: Refuse citation #10005, abatement submittal refuse drainage to pond 8

11/07

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

<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	DESCRIPTION
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Chapter II, pgs 9, 10 and 11
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Chapter III, pgs 3, 4 and 13
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Chapter IV, index page
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Chapter IV, pg39a
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Chapter IV, Section IV.C.4 Figure 1 (Existing Coal Mine Waste Pile Plan & Cross-Section)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Chapter VI, Appendix VI-6, Page 1 of 38
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Chapter VI, Appendix VI-6, Pages 23,24,25,25A,26,27,27A,27B,27C and 27D
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Chapter VI, Appendix VI-6, Pages 23,24,25,26,26A,26B,26C,26D,26E,26F, and 26G
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Chapter VI, Appendix VI-6, Pages 27, 27A and 27B
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Chapter VI, Appendix VI-7, Page 52I, Pond No. 8 Plan View and Drainage Map
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Chapter VI, Appendix VI-7, Pgs 41 and 42
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Chapter VI, Appendix VI-7, Figure 1 (Perm Waste Disposal Site ditch)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Chapter II, Plate II-1, Structures and facilities main portal area
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Any other specific or special instruction required for insertion of this proposal into the Mining and Reclamation Plan.

Received by Oil, Gas & Mining

RECEIVED

NOV 09 2007

DIV. OF OIL, GAS & MINING