

0036



CONSOL ENERGY™

C/015/015 Incoming

#3405

Consolidation Coal Company

R

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

September 17, 2009

Daron Haddock
Utah Division of Oil, Gas and Mining
Coal Program
1594 West North Temple, Suite 1210
Box 145801
Salt Lake City, Utah 84114-5801

Re: Emery Deep Mine Permit C/015/015
Amendment to add Zero Zero North LBA (UTU-86038) to MRP

Dear Mr. Haddock:

Please consider this a minor revision to add additional mining area to the above mentioned permit. Enclosed please find three (3) copies of the submittal, and two (2) CD's with the submittal in pdf format. Also attached please find executed C1 and C-2 forms.

Due to the large quantity of Plates depicting the permit boundary, Consol has submitted nine (9) Plates as hard copies and the remainder as pdf's on the cd. Consol will provide hard copies during clean copy submittal.

Per the ongoing expansion of the Emery Mine, Consol plans to increase the resource recovery by mining additional coal on the north east boundary of the mining area, adjacent to the recently approved Zero Zero North area Task id 3099. The additional mining area consists of 120 acres. The coal is contained in federal lease UTU-86038. Consol was the successful bidder on this tract on September 3, 2009. Eighty acres of the surface area is owned in fee by Consol and 40 acres is contained in the federal lease UTU-86038. The additional panel is designated as the Zero Zero North. Consol will be utilizing a pillar splitting plan that would fall into the planned subsidence category. All Plates that depict full extraction areas have been revised to include the future forecasted panel.

All of the base line studies on this area were conducted in 2008 under the BLM Environmental Assessment procedures. Portions of the EA have been incorporated into the MRP at CH VIII APP VIII-6 and CH VI APP VI-16.

Archeology report MOAC 08-096 was completed on this area with the Environmental Assessment and is included as CH X APP 5-10.

A confidential CD of this report and all confidential maps is included and should be placed in the confidential file.

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

Sincerely,

John Gefferth
John Gefferth
Environmental Engineer

File in: *C/015/0015 2009 Incoming*

Refer to:

Confidential

Shelf

Expandable

Date: *09/17/09* for additional information

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SEP 17 2009

DIV. OF OIL, GAS & MINING

CC: Karl Houskeeper – DOGM-Price Field Office
Attachments
JAG/jag emzznorthLBA.doc

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: Zero Zero North LBA

Description, Include reason for application and timing required to implement:
Amnd to add LBA UTU 86038 Zero Zero North area to MRP,

9/09

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

- | | |
|---|---|
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 1. Change in the size of the Permit Area? Acres: _____ Disturbed Area: _____ <input type="checkbox"/> increase <input type="checkbox"/> decrease. |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 2. Is the application submitted as a result of a Division Order? DO# _____ |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 4. Does the application include operations in hydrologic basins other than as currently approved? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 6. Does the application require or include public notice publication? |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 7. Does the application require or include ownership, control, right-of-entry, or compliance information? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 9. Is the application submitted as a result of a Violation? NOV # _____ |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 10. Is the application submitted as a result of other laws or regulations or policies?
<i>Explain:</i> _____ |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 11. Does the application affect the surface landowner or change the post mining land use? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2) |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 13. Does the application require or include collection and reporting of any baseline information? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 15. Does the application require or include soil removal, storage or placement? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 16. Does the application require or include vegetation monitoring, removal or revegetation activities? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 17. Does the application require or include construction, modification, or removal of surface facilities? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 18. Does the application require or include water monitoring, sediment or drainage control measures? |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 19. Does the application require or include certified designs, maps or calculation? |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 20. Does the application require or include subsidence control or monitoring? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 21. Have reclamation costs for bonding been provided? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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 8/5/09
 Sign Name, Position, Date
General Manager, Environmental Services

Subscribed and sworn to before me this 5 day of AUGUST, 2009

Jane M. Young
 Notary Public
 My commission Expires: June 20, 2013
 Attest: State of PENNSYLVANIA
 County of WASHINGTON

COMMONWEALTH OF PENNSYLVANIA
 Notarial Seal
 Jane M. Young, Notary Public
 Cecil Twp., Washington County
 My Commission Expires June 20, 2009
 Member, Pennsylvania Association of Notaries

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For Office Use Only:

Assigned Tracking Number:

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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: Amnd to add LBA UTU 86038 Zero Zero North area to MRP

9/09 pg1/3

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 checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Chapter I, page 8
<input type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Chapter I, Appendix I-2 pages 1,2,3,4,5,6
<input type="checkbox"/> Add	<input type="checkbox"/> Replace	<input checked="" type="checkbox"/> Remove	Chapter I, Appendix I-2 pages 8a and 11
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Chapter I, Appendix I-2 pages 7,8,9,10
<input type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	
<input type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	
<input type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Chapter IV, page 1
<input type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	
<input type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	
<input type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Chapter VI, index page
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Chapter VI, page 3
<input checked="" type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	Chapter VI, App VI-16 (selected text from Miller Canyon Tract EA)
<input type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	
<input type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	
<input type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	
<input type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Chapter VIII, index page
<input type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Chapter VIII App VIII-6 (Mt. Nebo Scientific, Zero Zero North LBA veg/wldlf/T&E report)
<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	Chapter X index page
<input type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	Chapter X App 5-10 (MOAC 08-096), Archeo ZZN LBA UTU-86038 CONFIDENTIAL
<input type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	
<input type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	
<input type="checkbox"/> Add	<input type="checkbox"/> Replace	<input type="checkbox"/> Remove	

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

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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: Amnd to add LBA UTU 86038 Zero Zero North area to MRP

9/09 pg2/3

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DESCRIPTION OF MAP, TEXT, OR MATERIAL TO BE CHANGED

<input type="checkbox"/> Add	<input checked="" type="checkbox"/> Replace	<input type="checkbox"/> Remove	DESCRIPTION OF MAP, TEXT, OR MATERIAL TO BE CHANGED	MATERIAL
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Chapter I, Plate I-1 Ownership and Leashold Interest	HARD COPY
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Chapter III, Plate III-9 Permit Boundaries and Bonding Map (Exhibit D)	HARD COPY
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Chapter IV, Plate IV-2, UG Operations Plan	HARD COPY
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Chapter V, APP V-5 FIG 1, (Pre-Subsidence survey update)	HARD COPY
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Chapter V, Plate V-1, Presubsidence Survey-Structures and Utilities	CD ROM
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Chapter V, Plate V-2, Presubsidence Survey- Roadways	CD ROM
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Chapter V, Plate V-3, Presubsidence Survey- Hydrology	CD ROM
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Chapter V, Plate V-4, Presubsidence Survey-Vegetation	CD ROM
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Chapter V, Plate V-5, Subsidence Monitoring Points and Buffer Zones	HARD COPY
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Chapter V, Plate V-6, Drill Hole, X-Sect, Geotech test hole locations (Confidential)	CDROM
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Chapter V, Plate V-17, K1 Seam Geology (Confidential)	CD ROM
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Chapter V, Plate V-18, K3 Seam Geology (Confidential)	CD ROM
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Chapter V, Plate V-19, J Seam Geology (Confidential)	CD ROM
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Chapter V, Plate V-20, UI Seam geology (Confidential)	CD ROM
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Chapter V, Plate V-21, LI1 Seam Geology (Confidential)	CD ROM
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Chapter V, Plate V-22, LI5 Seam Geology (Confidential)	CD ROM
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Chapter V, Plate V-23, G Seam Geology (Confidential)	CD ROM
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Chapter V, Plate V-24, D Seam Geology (Confidential)	CD ROM
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Chapter V, Plate V-25, C Seam Geology (Confidential)	CD ROM
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Chapter V, Plate V-26, A Seam Geology (Confidential)	CD ROM
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	CH VI, Plate VI-1, Upper Ferron Sandstone potentiometric Surface (1979)	CD ROM
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	CH VI, Plate VI-2, Lower Ferron Sandstone Potentiometric Surface (1985)	CD ROM
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	CH VI, Plate VI-4, Ground Water Monitoring Well and Surface Water Monitoring Site Location Map	HARD COPY
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	CH VI, Plate VI-5, General Geology	CD ROM

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

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Detailed Schedule Of Changes to the Mining And Reclamation Plan

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Mine: Emery Mine

Permit Number: 015/015

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9/09 pg3/3

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<input type="checkbox"/>	Add	<input checked="" type="checkbox"/>	Replace	<input type="checkbox"/>	Remove	CH VI, Plate VI-6, Historic and Planned Mining Sequence	HARD COPY
<input type="checkbox"/>	Add	<input checked="" type="checkbox"/>	Replace	<input type="checkbox"/>	Remove	CH VI, Plate VI-7, Upper Ferron Sandstone Potentiometric Surface (2006)	CD ROM
<input type="checkbox"/>	Add	<input checked="" type="checkbox"/>	Replace	<input type="checkbox"/>	Remove	CH VI, Plate VI-8, Lower Ferron Sandstone Potentiometric Surface (2006)	CD ROM
<input type="checkbox"/>	Add	<input checked="" type="checkbox"/>	Replace	<input type="checkbox"/>	Remove	CH VI, Plate VI-9, Misc. Surface Water Data Collection Sites	CD ROM
<input type="checkbox"/>	Add	<input checked="" type="checkbox"/>	Replace	<input type="checkbox"/>	Remove	Chapter VI, Plate VI-10, Surface Drainage Control index Map	CD ROM
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<input type="checkbox"/>	Add	<input checked="" type="checkbox"/>	Replace	<input type="checkbox"/>	Remove	Chapter VI, Plate VI-12, 4 East Portal Temporary Stream Diversion Drainage Area Map	CD ROM
<input type="checkbox"/>	Add	<input checked="" type="checkbox"/>	Replace	<input type="checkbox"/>	Remove	Chapter VII, Plate VII-1, Soil Map	CD ROM
<input type="checkbox"/>	Add	<input checked="" type="checkbox"/>	Replace	<input type="checkbox"/>	Remove	Chapter VIII, Plate VIII-1, Vegetation and Landuse Map	HARD COPY
<input type="checkbox"/>	Add	<input checked="" type="checkbox"/>	Replace	<input type="checkbox"/>	Remove	Chapter IX, Plate 10-1, Selected Wildlife Information (CONFIDENTIAL)	HARD COPY
<input type="checkbox"/>	Add	<input checked="" type="checkbox"/>	Replace	<input type="checkbox"/>	Remove	Chapter X, Plate X.A-1, Permit Area Cultural Resources (CONFIDENTIAL)	CD ROM
<input type="checkbox"/>	Add	<input checked="" type="checkbox"/>	Replace	<input type="checkbox"/>	Remove	Chapter XI, Plate XI-1, Alluvial Valley Floor Along Upper Quitcupah Creek	CD ROM
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<p>Any other specific or special instruction required for insertion of this proposal into the Mining and Reclamation Plan.</p>	<p>Received by Oil, Gas & Mining</p> <p style="font-size: 1.2em; color: red; font-weight: bold;">RECEIVED</p> <p style="font-size: 1.2em; color: red; font-weight: bold;">SEP 17 2009</p> <p style="color: red; font-weight: bold;">DIV. OF OIL, GAS & MINING</p>
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