



# 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>



IN REPLY REFER TO:  
3482  
UTU-86038  
(UT-923)

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Certificate No. 7008 1140 0000 3706 1024

OCT 06 2009

US Department of Interior  
Office of Surface Mining  
PO Box 46667  
Denver, Colorado 80201-6667

Attn: Carl Johnston, Federal Lands Coordinator

Re: Recommendation for Initial Approval – Resource Recovery and Protection Plan (R2P2);  
addition of new Federal Coal Lease UTU-86038 and extension of “00-North” Panel,  
Emery Mine

Dear Mr. Johnston:

The Bureau of Land Management (BLM) received on September 16, 2009, a request from Consol Energy (Consol) for revision of the existing Resource Recovery and Protection Plan (R2P2) at the subject mine. The proposed R2P2 revises the mine layout by adding the new 120 acre Federal Coal Lease UTU-86038 (also Known as “Miller Canyon”). This letter summarizes and documents the BLM’s findings and decision on this new R2P2.

This new lease represents a continuation of the 00-North Panel which is currently mining on Consol Fee Coal. This is a Continuous miner (CM) panel and will extend onto the Miller Canyon Lease at such time as all necessary approvals are granted, including Assistant Secretary of the Interior approval, as required for all new Federal Coal Leases. This mine was inspected by BLM on May 14, 2009 and August 28, 2009.

**Proposed Plan:** Consol has entered into panel 00-North on their fee land. The section has been necked-off to the southeast and will then turn in a northeasterly direction, in 6 entries towards the new Federal lease. These entries will be mining under very shallow cover (less than 200’) skirting “burned” (oxidized) outcrop coal to the southeast and rock partings to the northwest. As such, the number of entries may change from time to time by either dropping or picking up entries as required. The current mining of 00-North on Fee land would be extended to the northeast onto the Miller Canyon Lease once the lease sale took place and Secretarial approval for the new mining plan was issued. Mining will proceed on the Fee land to the northeast and it is expected that by the time Consol reaches the new lease boundary, that the permitting and Secretarial approval necessary to cross over into the new lease will have been received.

Reasoning behind this change (addition) was to add the new Miller Canyon Federal Coal Lease (UTU-86038). The new Federal Coal Lease is not yet within the currently approved Logical Mining Unit (LMU) boundary and in order for it to be included into the LMU and made a part of the LMU-wide bond, Consol Energy will need to apply for this inclusion to the BLM Authorized Officer.

**Maximum Economic Recovery (MER):** Full extraction of recoverable coal reserves will enable MER of the coal in Federal Coal lease UTU-86038 to be achieved, assuming that all other approvals are received for this new Federal Coal Lease mine plan.

**Recoverable Reserve Base:** The estimated recoverable coal base for UTU-86038 is 0.56 million tons. This recommendation for approval represents an increase in LMU tonnage (fee coal) of 560,000 tons recoverable.

**Approval Recommendation:** The plan allows for development of the new 00-North panel onto the new lease, will also allow retreat mining as approved, and is conformance with the BLM land use plan. It is important to note that this recommendation for approval is subject to all coal lease stipulations as outlined in the lease document.

The BLM finds the submitted R2P2 in compliance with the Mineral Leasing Act of 1920, as amended, the lease terms and conditions, the regulations at 43 CFR 3480. The BLM has also determined that the R2P2 (as submitted on September 16, 2009) will achieve maximum economic recovery of the Federal coal. We therefore recommend that the Secretary approve the R2P2 as part of the Federal Mine Plan.

A copy of the approved mine map is enclosed.

Sincerely,



Roger Bankert  
Chief, Branch of Minerals

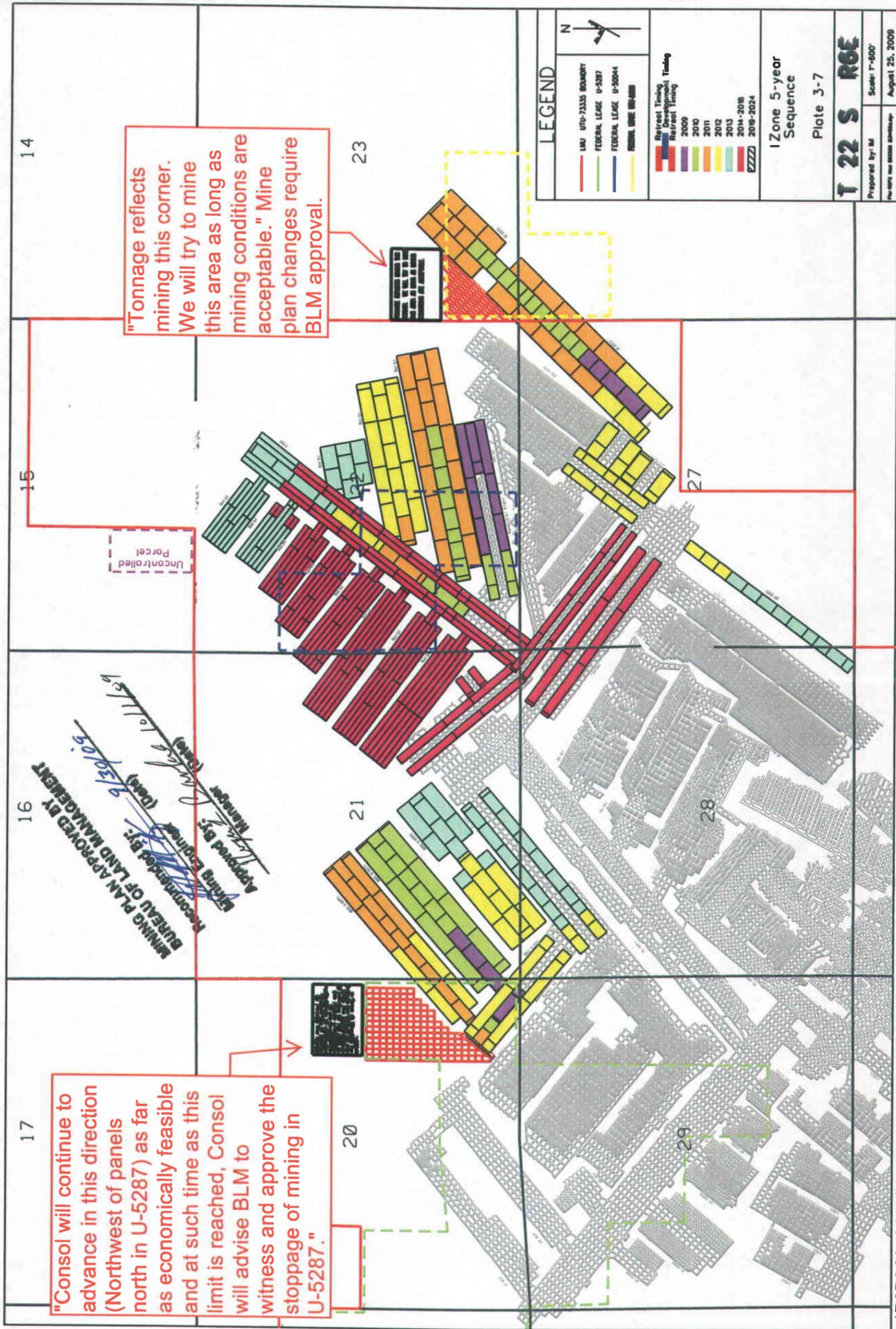
Enclosure:

Approved Mine Map

cc: Ian McClain (w/ Enclosure)  
Consol Energy, Emery Mine  
PO Box 527  
Emery, Utah 84522

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

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



"Consol will continue to advance in this direction (Northwest of panels north in U-5287) as far as economically feasible and at such time as this limit is reached, Consol will advise BLM to witness and approve the stoppage of mining in U-5287."

"Tonnage reflects mining this corner. We will try to mine this area as long as mining conditions are acceptable." Mine plan changes require BLM approval.

MINING PLAN APPROVED BY BUREAU OF LAND MANAGEMENT  
 Recommended by: *[Signature]* 9/30/09  
 Mining Engineer (Date)  
 Approved by: *[Signature]* 9/30/09  
 Mining Manager (Date)

Uncontrolled Parcel

**LEGEND**

- LMU U-73333 BOUNDARY
- FEDERAL LEASE U-5287
- FEDERAL LEASE U-50044
- FEDERAL MINE IMPROVEMENT

Retreat Timing Development Timing  
 Retreat Timing  
 2009  
 2010  
 2011  
 2012  
 2013  
 2014-2018  
 2019-2024

I Zone 5-year Sequence  
 Plate 3-7

**T 22 S R6E**

Prepared by: M Scale: T-600  
 For BLM use only. August 25, 2009