CONSOLIDATION COAL COMPANY

EMERY MINE

PERMIT ACT/015/015

ANNUAL REPORT FOR 2008

This Annual Report shows information the Division has for your mine. Please review the information to see if it is current. If the information needs to be updated please do so in this document. At the end of each section the operator is asked to verify if the information is correct. Please answer these questions and make all comments on this document. Submit the completed document and any additional information identified in the Appendicies to the Division by April 30, 2009. During a complete inspection an inspector will check and verify the information. To enter text, click in the cell and type your response. You can use the tab key to move from one field to the next. To enter an X in a box, click next to the box, right click, and select properties, then the checked circle, then hit enter, or hit the unchecked circle if the X is to be removed.

GENERAL INFORMATION

Permittee Name	Consolidation Coal Company
Mine Name	**Emery Deep Mine**
Operator Name (If other then Permittee)	NA
Permit Expiration Date	January 6, 2011
Permit Number	015/0015
Authorized Representative Title	John Gefferth
Phone Number	(618) 625-6850
Fax Number	(618) 625-6844
E-mail Address	johngefferth@consolenergy.com
Mailing Address	P.O. Box 566, Sesser, IL 62884
Designated Representative	John Gefferth
Resident Agent	CT Corporation Systems
Resident Agent Mailing Address	50 W. Broadway, 8th Floor, Salt Lake City, UT 84101-2006
Number of Binders Submitted	

Operator, please update any incorrect information.

IDENTIFICATION OF OTHER PERMITS

Identify other permits that are required in conjunction with mining and reclamation activities.

Permit Type	ID Number	Description	Expiration Date
MSHA Mine ID(s)	42-00079	Emery Mine	N/A
MSHA Impoundment(s)			
NPDES/UPDES Permit(s)	UT0022616	Minor Industrial	11/30/2011
PSD Permit(s) (Air)	DAQE-AN00229005-04	Approval Order Issued 07/20/05	N/A
Other			

Operator, please update any incorrect information.

File in:
- ☐ Confidential
- ☒ Shelf
- ☐ Expandable

Refer to Record No 0021 Date 05/15/2009
In C/015/0015, 2009, Incoming
For additional information

0021

COPY

C/015/015 Incoming

CONSOL ENERGY™

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

#3297

May 15, 2009

Daron Haddock, Permit Supervisor
Utah Coal Regulatory Program
1594 West North Temple, Suite 1210
Box 145801
Salt Lake City, Utah 84114-5801

RE: Emery Mine
Permit No. ACT/015/015
2005 Annual Report

Dear Mr. haddock:

Enclosed please a copy of Consolidation Coal Company's, 2008 Annual Report for the Emery Mine. A second copy has been sent to your Price Field Office.
A cd-rom has been included with the report in PDF format.

If you have any questions or need further information, please contact me at (618)-625-6850

Sincerely,

John Gefferth
Environmental Engineer

JAG/jag Emeryannual08.doc

cc: Carl Houskeeper - DOGM Price Field Office

C/015/015 2009 Incoming
Refer to:
- ☐ Confidential
- ☒ Shelf
- ☐ Expandable

Date 05/15/09 for additional information

RECEIVED
MAY 20 2009
DIV. OF OIL, GAS & MINING

CERTIFIED REPORTS

List the certified inspection reports as required by the rules and under the approved plan that must be periodically submitted to the Division. Specify whether the information is included as Appendix A to this report or currently on file with the Division.

Certified Reports:	**Required** Yes	No	**Included** Included	**or** **DOGM file location** Vol, Chapter, Page
Excess Spoil Piles	☐	☒	☐	
Refuse Piles	☒	☐	☒	See Appendix A-1-Annual inspections
Impoundments	☒	☐	☒	See Appendix A-1-Annual inspections
Other				
	☐	☐	☐	
	☐	☐	☐	

Operator Comments:

Inspector:
Has the operator complied with this section? Yes ☐ No ☐
Inspector Comments:

COMMITMENTS AND CONDITIONS

The Permittee is responsible for ensuring annual technical commitments in the MRP and conditions accepted with the permit are completed throughout the year. The Division has identified these commitments below and has provided space for you to report what you have done during the past year for each commitment. If the particular section is blank, no commitment has been identified and no response is required for this report. If additional written response is required, it should be filed under Appendix B to this report.

Admin R645-301-100
Soils R645-301-200

Title: CONTROL OF COAL FINES DEPOSITION
Objective: Prevent coal fines from accumulating on undisturbed soils
Frequency: monthly inspection of three transects, three sample sites each
Status: Map of transect locations overdue. Monthly inspections should be ongoing during periods of production.
Reports: baseline report and monthly reports to be kept onsite. (see also Division inspection report #258, 05/04/2004).
Citation: Chap X-C page 5b.

Operator: Has this commitment been acted on this year?
Yes ☒ No ☐ Not required this year. ☐ If yes, comment;
Operator Comments: Submitted a revision to dust control plan on 3/26/08, submitted deficiency responses tsk id 2954, on 7/23/08. received DOGM approval tsk id 3019, on 10/27/08. Revision changed monitoring frequency to annual due in the annual report.
Refer to Appendix B-3 for 2008 data.

Inspector:
Has the operator complied with this commitment? Yes ☐ No ☐
Inspector Comments:

Biology R645-301-300

Title: CULTURAL RESOURCES
Objective: If during the course of mining operations, previously unidentified cultural resources are discovered, the Permittee shall ensure that the site(s) is not disturbed and shall notify the Division of Oil, Gas, and Mining. The Division, after coordination with OSM, shall inform the Permittee of necessary actions required. The Permittee shall implement the mitigation measures required by the Division within the time frame specified by the Division.
Frequency: As needed.
Status: Ongoing
Reports: Annual.
Citation: Permit Condition **Sec. 16.**

Operator: Has this commitment been acted on this year?
Yes ☒ No ☐ Not required this year. ☐ If yes, comment;
Operator Comments: Submitted a site mitigation plan (tsk id 2990) for an eligible historic site on 11/19/08. Received DOGM approval (tsk id 3086) on 1/1/09. Mitigation plan incorporated into MRP.

Inspector:
Has the operator complied with this commitment? Yes ☐ No ☐
Inspector Comments:

Title: PROTECTION AND ENHANCEMENT PLAN
Objective: Prior to extraction or second mining the permittee will need to revise chapter nine of the Mining and Reclamation plan. That revision will need to include a narrative and or plan that describes how wildlife will be protected and enhanced as a result of the potential impacts from subsidence. The information required updating the MRP prior to extraction or second mining must be submitted to the Division by no later than sixty days after the approval of this incidental boundary change.
Frequency: as needed depending on the initiation of full extraction.
Status: Ongoing
Reports: Annual.
Citation: Master TA, operation plan, fish and wildlife information, protection and enhancement plan, page 55.

Operator: Has this commitment been acted on this year?
Yes ☐ No ☐ Not required this year. ☒ If yes, comment;
Operator Comments: Please refer to The 1st north Federal Lease Incidental Boundary Change additional deficiency responses dated 3/6/07.

Inspector:
Has the operator complied with this commitment? Yes ☐ No ☐
Inspector Comments:

Title: WETLANDS AND HABITATS OF UNUSUALLY HIGH VALUEFOR FISH AND WILDLIFE
Objective: Prior to extraction or second mining the MRP must be updated to include a protection plan for wetlands from potential impacts due to subsidence and a burrowing owl survey for the permit area expansion.
Frequency: As needed depending on the initiation of full extraction.
Status: Ongoing
Reports: Annual Report
Citation: Master TA, operation plan, fish and wildlife information, Wetlands and Habitats of Unusually High Value for Fish and Wildlife, page 56.

Operator: Has this commitment been acted on this year?
Yes ☐ No ☐ Not required this year. ☒ If yes, comment;
Operator Comments: Please refer to Chapter V page 41 for a wetland mitigation plan commitment. Please refer to Chapter VIII page 17 a for burrowing owl survey information.

Inspector:
Has the operator complied with this commitment? Yes ☐ No ☐
Inspector Comments:

Landuse, Cultural Resources, Air Quality R645-301- 400

Engineering R645-301-500

Title: SUBSIDENCE MONITORING
Objective: 1a The Permittee will inspect the area outlined on Plate V-5 as full extraction areas when pillar splitting begins.
Frequency: Monthly until there is no record of additional subsidence.
Status: On going.
Reports: Annual report.
Citation: Chapter V 1 of 3 Chapter V page 36.

Operator: Has this commitment been acted on this year?
Yes ☒ No ☐ Not required this year. ☐ If yes, comment;
Operator Comments: Monthly subsidence reports are being sent to the Division

Inspector:
Has the operator complied with this commitment? Yes ☐ No ☐
Inspector Comments:

Title: SUBSIDENCE MONITORING
Objective: New monitoring points established over partial pillar sections will be resurveyed within six months after final mining bas taken place beneath them.
Frequency: As needed.
Status: On going.
Reports: Annual report.
Citation: Chapter V 1 of 3 Chapter V page 36.

Operator: Has this commitment been acted on this year?
Yes ☒ No ☐ Not required this year. ☐ If yes, comment,
Operator Comments: Refer to Appendix B-1 (Annual Subsidence Monitoring)

Inspector:
Has the operator complied with this commitment? Yes ☐ No ☐
Inspector Comments:

Title: SUBSIDENCE MONITORING
Objective: New monitoring points established over advancing sections such as mains and sub mains will be resurveyed within one year after mining has been completed beneath the station.
Frequency: As needed.
Status: On going.
Reports: Annual report.
Citation: Chapter V 1 of 3 Chapter V page 36.

Operator: Has this commitment been acted on this year?
Yes ☒ No ☐ Not required this year. ☐ If yes, comment;
Operator Comments: Refer to Appendix B-1 (Annual Subsidence Monitoring)

Inspector:
Has the operator complied with this commitment? Yes ☐ No ☐
Inspector Comments:

Title: SUBSIDENCE MONITORING
Objective: The Permittee will provide 3 copies of a subsidence monitoring report to DOGM within one month after completion of any subsidence monitoring field survey conducted pursuant to the approved subsidence control plan. Subsidence monitoring reports shall contain 1) Mine maps showing where pillars have been pulled and the month and year that such pillars were removed or partially removed, 2) Maps showing the location of survey monitoring stations and tension cracks and/or compression feature visible on the surface, 2a) The subsidence monitoring points above the areas outlined on Plate V-5 as full extraction areas will have photographs taken to record pre and post subsidence, 3) The differential level and horizontal survey summary, 4) a narrative.
Frequency: As needed.
Status: On going.
Reports: Annual report.
Citation: Chapter V 1 of 3 Chapter V page 37.

Operator: Has this commitment been acted on this year?
Yes ☒ No ☐ Not required this year. ☐ If yes, comment;
Operator Comments: See monthly subsidence report.

Inspector:
Has the operator complied with this commitment? Yes ☐ No ☐
Inspector Comments:

Title: SUBSIDENCE MONITORING
Objective: Subsidence monitoring should, at a minimum, be established: a) at a point coincident to the geometric center of high extraction panels at least three months before mining occurs beneath the station and b) at periodic intervals over mains and sub mains at least every three months before mining activities occur beneath the station.
Frequency: As needed.
Status: On going.
Reports: Annual report.
Citation: Chapter V 1 of 3 Chapter V page 36.

Operator: Has this commitment been acted on this year?
Yes ☒ No ☐ Not required this year. ☐ If yes, comment;
Operator Comments: And what was the question??

Inspector:
Has the operator complied with this commitment? Yes ☐ No ☐
Inspector Comments:

Title: SUBSIDECNE MONITORING
Objective: The Permittee will establish pre-mining elevations and gradients of any irrigation ditches and pond embankments within the angle of draw. The Permittee will monitor these areas by visual inspection and post-subsidence ground survey to establish the effects of subsidence.
Frequency: As needed.
Status: On going.
Reports: Annual report.
Citation: Chapter V 1 of 3 Chapter V page 37.

Operator: Has this commitment been acted on this year?
Yes ☐ No ☐ Not required this year. ☒ If yes, comment;
Operator Comments:

Inspector:
Has the operator complied with this commitment? Yes ☐ No ☐
Inspector Comments:

Title: SUBSIDENCE MONITORING
Objective: The Permittee will update the existing pre-subsidence survey and plates six (6) months before full extraction and provide copies to the surface land owner, DOGM and the Water Conservancy District.
Frequency: As needed.
Status: On going.
Reports: Annual report.
Citation: Chapter V 1 of 3 Chapter V page 37.

Operator: Has this commitment been acted on this year?
Yes ☒ No ☐ Not required this year. ☐ If yes, comment;
Operator Comments: Pre Subsidence surveys are up to date. Refer to Chapter V Appendicies.

Inspector:
Has the operator complied with this commitment? Yes ☐ No ☐
Inspector Comments:

Geology R645-301-600
Hydrology R645-301-700
Bonding & Insurance R645-301-800

Other Commitments	

*Reminder: If equipment has been abandoned during 2008, an amendment must be submitted that includes a map showing its location, a description of what was abandoned, whether there were any hazardous or toxic materials and any revision to the PHC as necessary.

REPORTING OF OTHER TECHNICAL DATA

List other technical data and information as required under the approved plan, which must be periodically submitted to the Division. Specify whether the information is included as Appendix B to this report or currently on file with the Division.

Operator Comments:

Inspector:
Has the operator complied with this section? Yes ☐ No ☐
Inspector Comments:

LEGAL, FINANCIAL, COMPLIANCE AND RELATED INFORMATION

Change in administration or corporate structure can often bring about necessary changes to information found in the mining and reclamation plan. The Division is Requesting that each permittee review and update the legal, financial, compliance and related information in the plan as part of the annual report. Please provide the Department of Commerce, Annual Report of Officers, or other equivalent information as necessary to ensure that the information provided in the plan is current. Provide any other change as necessary regarding land ownership, lease acquisitions, legal results from appeals of violations, or other changes as necessary to update information required in the mining and reclamation plan. Include certified financial statements, audits or worksheets, which may be required to meet bonding requirements. Specify whether the information is currently on file with the Division or included as Appendix C to the report.

Legal / Financial Update	**Required** Yes	No	**Included or DOGM File location** Included	Vol, Chapter, Page	**Comments**
Department of Commerce, Annual Report Officers	☐	☒	☒	See Appendix C-1	
Other					
	☐	☒	☒	See Appendix C-2	
	☐	☐	☐		
	☐	☐	☐		

Operator Comments:

Inspector:
Has the operator complied with this section? Yes ☐ No ☐
Inspector Comments:

MAPS

Copies of mine maps, current and up-to-date through at least December 31, 2008, are to be provided to the Division as Appendix D to this report in accordance with the requirements of R 645-301-525.240. The map copies shall be made in accordance with 30 CFR 75.1200 as required by MSHA. Mine maps are not considered confidential. (Please provide a CD.)

Confidential information is limited to:

R645-300-124.310. Information that pertains only to the analysis of the chemical and physical properties of the coal to be mined, except information on components of such coal which are potentially toxic in the environment.

R645-300-124.330. Information on the nature and location of archeological resources on public land and Indian land as required under the Archeological Resources Protection Act of 1979 (P. L. 96-95, 93 Stat. 721, 16 U.S.C. 470).

R645-301-322, Fish and Wildlife Information; R645-301-322.100, the scope and level of detail for such information will be determined by the Division in consultation with state and federal agencies with responsibilities for fish and wildlife and will be

sufficient to design the protection and enhancement plan required under R645-301-333 and R645-301-322.230, other species or habitats identified through agency consultation as requiring special protection under state or federal law; R645-301-333.300, Include protective measures that will be used during the active mining phase of operation.

The Division will provide procedures, including notice and opportunity to be heard for persons both seeking and opposing disclosure.

Map Number(s)	Map Title/ Description		
Annual subsidence map			
Mine map			
Other maps		Confidential Yes	No
Annual mine map[	2008 Annual Map	☐	☒
		☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐

Operator Comments:

Inspector:
Has the operator complied with this section? Yes ☐ No ☐
Inspector Comments:

OTHER INFORMATION

Please provide any comments of further information to be included as part of the Annual Report. Any other attachments are to be provided as Appendix E to this report. If information is submitted as a group rather then by individual mine, please identify each of the mine's data in the list below.

Additional attachment to this report? **Yes** ☐ **No** ☒

Operator Comments:

Inspector:
Has the operator complied with this section? Yes ☐ No ☐
Inspector Comments:

APPENDIX A

Certified Reports

Excess Spoil Piles
Refuse Piles
Impoundments

As required under R645-301-514

CONTENTS

APPENDIX B

Reporting of Technical Data

Including monitoring data, reports, maps, and other information
As required under the approved plan or as required by the Division

In accordance with the requirement of R645-310-130 and R645-301-140

CONTENTS

APPENDIX C

Legal Financial, Compliance and Related Information

Annual Report of Officers
As submitted to the Utah Department of Commerce

Other change in ownership and control information
As required under R645-301-110

CONTENTS

APPENDIX D

Mine Maps

As required under R645-302-525-270

CONTENTS

APPENDIX E

Other Information

In accordance with the requirements of R645-301 and R645-302

CONTENTS

*To enter text, click in the box and type your response. If a box already contains an entry select the entry and type the replacement. You can use the **tab** key to move from one field to the next. To select a check box, click in the box or type an x.*

GENERAL INFORMATION

Report Date	12 Dec 2008
Permit Number	ACT 015/015
Mine Name	Emery Mine
Company Name	Consolidated Coal Company

IMPOUNDMENT IDENTIFICATION

Impoundment Name	Pond 1
Impoundment Number	UPDES Outfall 001
UPDES Permit Number	UT0022616
MSHA ID Number	NA

IMPOUNDMENT INSPECTION

Inspection Date	5 Dec 2008
Inspected by	R.B. White
Reason for Inspection	Annual

(Annual, quarterly or other periodic inspections, critical installation , or completion of construction.)

1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.

None

Questions a and b are required for an impoundment, which functions as a Sedimentation pond.

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Design sediment storage volume = 10.3 AF
60% sediment cleanout volume = 6.2 AF
Sediment cleanout elevation = 5935.7 ft

b. Principle and emergency spillway elevations.

Spillway elevation = 5939.3 ft
With stop logs in place, the spillway elevation can be raise a minimum of 12 inches.

2. Field Information

Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on outslopes of embankments, etc.

At the time of the inspection, the flow depth in the 9-inch Parshall flume at the pond outlet was 0.50 ft, representing 1.06 cfs. Water wa discharging into the pond at the time of the inspection.

3. Field Evaluation.

Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period

The pond discharge measurement flume has begun to leak due to corrosion. The 18-inch diameter CMP downstream from this flume also leaks. Plans and requisitions have been made to replace the flume and move it further downstream from the discharge chute. The CMP downstream from the flume will also be replaced with asphalt-coated CMP to minimize the potential for future corrosion.

QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Richard Powell Date: 12 Dec 2008

CERTIFIED REPORT

IMPOUNDMENT EVALUATION

If you answer NO to these questions, please explain under comments

	YES	NO
1. Is impoundment designed and constructed in accordance with the approved plan?	☒	☐
2. Is impoundment free of instability, structural weakness, or any other hazardous conditions?	☒	☐
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?	☒	☐

COMMENTS/ OTHER INFORMATION

Consol operates this pond and the other mine-water discharge pond (Pond 6). Occasional exceedances of the discharge standards have occurred. Consol is negotiating with the Utah Division of Water Quality and is evaluating alternative uses for the mine water to ensure that effluent standards can be consistently met in the future.

CERTIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

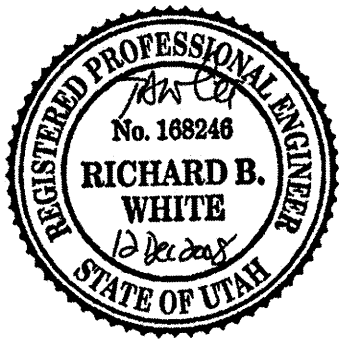
By: Richard B. White, P.E. - President, EarthFax Engineering, Inc.

Full Name and Title

Signature: Richard B White Date 12 Dec 2008

P.E. Number & State 168246, UT

[P.E. Cert. Stamp]



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*To enter text, click in the box and type your response. If a box already contains an entry select the entry and type the replacement. You can use the **tab** key to move from one field to the next. To select a check box, click in the box or type an x.*

GENERAL INFORMATION

Report Date	12 Dec 2008
Permit Number	ACT 015/015
Mine Name	Emery Mine
Company Name	Consolidated Coal Company

IMPOUNDMENT IDENTIFICATION

Impoundment Name	Pond 2
Impoundment Number	UPDES Outfall 002
UPDES Permit Number	UT0022616
MSHA ID Number	NA

IMPOUNDMENT INSPECTION

Inspection Date	5 Dec 2008
Inspected by	R.B. White
Reason for Inspection	Annual

(Annual, quarterly or other periodic inspections, critical installation , or completion of construction.)

1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.

None

Questions a and b are required for an impoundment, which functions as a Sedimentation pond.

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Design sediment storage volume = 0.83 AF
60% sediment cleanout volume = 0.50 AF
Sediment cleanout elevation = 5903.0 ft

b. Principle and emergency spillway elevations.

Spillway elevation = 5908.5 ft

2. Field Information

Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on outslopes of embankments, etc.

Water flows into this pond via a 12-inch diameter PVC pipe, which discharges onto riprap daown the inside embankment. There was neither water nor a substantial amount of sediment in the pond at the time of the inspection. Large boulders have been placed downstream from the pond outlet. No signs of erosion were observed during the inspection. The dewatering culvert has been fitted with a skimmer. The pond appears to be in good, functional shape.

3. Field Evaluation.

Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period

No problems were observed.

QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Richard B Clay Date: 12 Dec 2008

CERTIFIED REPORT

IMPOUNDMENT EVALUATION

If you answer NO to these questions, please explain under comments

		YES	NO
1.	Is impoundment designed and constructed in accordance with the approved plan?	☒	☐
2.	Is impoundment free of instability, structural weakness, or any other hazardous conditions?	☒	☐
3.	Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?	☒	☐

COMMENTS/ OTHER INFORMATION

The pond appears to be functioning as designed.

CERTIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: Richard B. White, P.E. - President, EarthFax Engineering, Inc.

Full Name and Title

Signature: Richard B White Date 12 Dec 2008

P.E. Number & State 168246, UT

[P.E. Cert. Stamp]

*To enter text, click in the box and type your response. If a box already contains an entry select the entry and type the replacement. You can use the **tab** key to move from one field to the next. To select a check box, click in the box or type an x.*

GENERAL INFORMATION

Report Date	12 Dec 2008
Permit Number	ACT 015/015
Mine Name	Emery Mine
Company Name	Consolidated Coal Company

IMPOUNDMENT IDENTIFICATION

Impoundment Name	Pond 3
Impoundment Number	UPDES Outfall 005
UPDES Permit Number	UT0022616
MSHA ID Number	NA

IMPOUNDMENT INSPECTION

Inspection Date	5 Dec 2008
Inspected by	R.B. White
Reason for Inspection	Annual

(Annual, quarterly or other periodic inspections, critical installation , or completion of construction.)

1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.

None

Questions a and b are required for an impoundment, which functions as a Sedimentation pond.

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Design sediment storage volume = 1.14 AF
60% sediment cleanout volume = 0.68 AF
Sediment cleanout elevation = 5905.0 ft

b. Principle and emergency spillway elevations.

Spillway elevation = 5907.8 ft

2. Field Information

Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on outslopes of embankments, etc.

There was neither water nor a substantial amount of sediment in the pond at the time of the inspection. The overflow consists of a 42-inch diameter riser with two 6-inch diameter side inlets (one with its invert located 15.5 inches below the top of the riser and the other with its invert 58 inches below the top of the riser). The riser outlet invert is located 69 inches below the top of the riser. There were no signs of recent water on the inside of the riser, indicating that the pond has not recently filled to this elevation. No signs of instability were observed, including on the steep, natural outslope on the north embankment.

3. Field Evaluation.

Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period

The point of inflow to the lower riser inlet had been uncovered since the last inspection. The area of erosion on the west side of the pond had also been repaired.

QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Richard W White Date: 12 Dec 2008

CERTIFIED REPORT

IMPOUNDMENT EVALUATION

If you answer NO to these questions, please explain under comments

		YES	NO
1.	Is impoundment designed and constructed in accordance with the approved plan?	☒	☐
2.	Is impoundment free of instability, structural weakness, or any other hazardous conditions?	☒	☐
3.	Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?	☒	☐

COMMENTS/ OTHER INFORMATION

The pond appears to be functioning as designed.

CERTIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: Richard B. White, P.E. - President, EarthFax Engineering, Inc.

Full Name and Title

Signature: Richard B White Date 12 Dec 2008

P.E. Number & State 168246, UT

[P.E. Cert. Stamp]

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

*To enter text, click in the box and type your response. If a box already contains an entry select the entry and type the replacement. You can use the **tab** key to move from one field to the next. To select a check box, click in the box or type an x.*

GENERAL INFORMATION

Report Date	12 Dec 2008
Permit Number	ACT 015/015
Mine Name	Emery Mine
Company Name	Consolidated Coal Company

IMPOUNDMENT IDENTIFICATION

Impoundment Name	Pond 5
Impoundment Number	UPDES Outfall 007
UPDES Permit Number	UT0022616
MSHA ID Number	NA

IMPOUNDMENT INSPECTION

Inspection Date	5 Dec 2008
Inspected by	R.B. White
Reason for Inspection	Annual

(Annual, quarterly or other periodic inspections, critical installation , or completion of construction.)

1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.

None

Questions a and b are required for an impoundment, which functions as a Sedimentation pond.

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Design sediment storage volume = 1.13 AF
60% sediment cleanout volume = 0.68 AF
Sediment cleanout elevation = 5943.8 ft

b. Principle and emergency spillway elevations.

Spillway elevation = 5949.2 ft

2. Field Information

Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on outslopes of embankments, etc.

This pond has four 24-inch diameter inlet culverts (one CMP and three CHDPE). All inlets appear to be adequate. No water was in the pond at the time of the inspection. No substantial amount of sediment has accumulated in the pond. The open-channel spillway shows no sign of erosion. No signs of erosion were observed around the dewatering device (6-inch diameter PVC).

3. Field Evaluation.

Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period

No stability or operational concerns were noted.

QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Richard Bowles Date: 12 Dec 2008

CERTIFIED REPORT

IMPOUNDMENT EVALUATION

If you answer NO to these questions, please explain under comments

	YES	NO
1. Is impoundment designed and constructed in accordance with the approved plan?	☒	☐
2. Is impoundment free of instability, structural weakness, or any other hazardous conditions?	☒	☐
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?	☒	☐

COMMENTS/ OTHER INFORMATION

The pond appears to be functioning as designed.

CERTIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

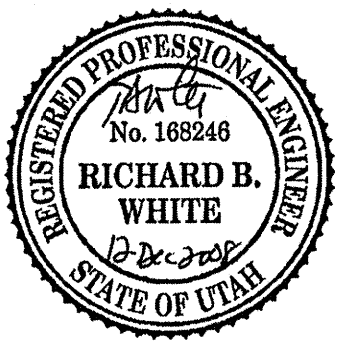
By: Richard B. White, P.E. - President, EarthFax Engineering, Inc.

Full Name and Title

Signature: Richard B White Date 12 Dec 2008

P.E. Number & State 168246, UT

[P.E. Cert. Stamp]



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GENERAL INFORMATION

Report Date	12 Dec 2008
Permit Number	ACT 015/015
Mine Name	Emery Mine
Company Name	Consolidated Coal Company

IMPOUNDMENT IDENTIFICATION

Impoundment Name	Pond 6
Impoundment Number	UPDES Outfall 003
UPDES Permit Number	UT0022616
MSHA ID Number	NA

IMPOUNDMENT INSPECTION

Inspection Date	5 Dec 2008
Inspected by	R.B. White
Reason for Inspection	Annual

(Annual, quarterly or other periodic inspections, critical installation , or completion of construction.)

1. **Describe any appearance of any instability, structural weakness, or any other hazardous condition.**

None

Questions a and b are required for an impoundment, which functions as a Sedimentation pond.

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Design sediment storage volume = 7.5 AF
60% sediment cleanout volume = 4.5 AF
Sediment cleanout elevation = 6012.5 ft

b. Principle and emergency spillway elevations.

Spillway elevation = 6016.0 ft

2. Field Information

Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on outslopes of embankments, etc.

At the time of the inspection, the flow depth in the 6-inch Parshall flume at the pond outlet was 0.93 ft, representing 1.84 cfs. The pond elevation was approximately 4.5 inches above the spillway elevation at the time of the inspection.

3. **Field Evaluation.**

Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period

The CMP downstream from the discharge measurement flume leaks. Plans and requisitions have been implmented to replace this flume with asphalt-coated CMP. Minor seepage is occurring from the south toe of the embankment. This condition appears to have been occurring for a long period of time, without affecting the stabliity of the embankment.

QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Richard D Wolf Date: 12 Dec 2008

CERTIFIED REPORT

IMPOUNDMENT EVALUATION

If you answer NO to these questions, please explain under comments

		YES	NO
1.	Is impoundment designed and constructed in accordance with the approved plan?	☒	☐
2.	Is impoundment free of instability, structural weakness, or any other hazardous conditions?	☒	☐
3.	Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?	☒	☐

COMMENTS/ OTHER INFORMATION

Consol operates this pond and the other mine-water discharge pond (Pond 1) in concert. Occasional exceedances of discharge standards have occurred. Consol is negotiating with the Utah Division of Water Quality and is evaluating alternative uses for the mine water to ensure that effluent standards can be consistently met in the future.

CERTIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

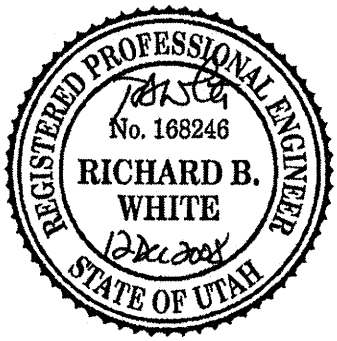
By: Richard B. White, P.E. - President, EarthFax Engineering, Inc.

Full Name and Title

Signature: Richard B White Date 12 Dec 2008

P.E. Number & State 168246, UT

[P.E. Cert. Stamp]



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*To enter text, click in the box and type your response. If a box already contains an entry select the entry and type the replacement. You can use the **tab** key to move from one field to the next. To select a check box, click in the box or type an x.*

GENERAL INFORMATION

Report Date	12 Dec 2008
Permit Number	ACT 015/015
Mine Name	Emery Mine
Company Name	Consolidated Coal Company

IMPOUNDMENT IDENTIFICATION

Impoundment Name	Pond 8
Impoundment Number	UPDES Outfall 006
UPDES Permit Number	UT0022616
MSHA ID Number	NA

IMPOUNDMENT INSPECTION

Inspection Date	5 Dec 2008
Inspected by	R.B. White
Reason for Inspection	Annual

(Annual, quarterly or other periodic inspections, critical installation , or completion of construction.)

1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.

None

Questions a and b are required for an impoundment, which functions as a Sedimentation pond.

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Design sediment storage volume = 2.00 AF
60% sediment cleanout volume = 1.35 AF
Sediment cleanout elevation = 5909.0 ft

b. Principle and emergency spillway elevations.

This impoundment is designed as a total containment pond without a spillway. The pond can contain the total design sediment volume plus the runoff from the 100-yr, 6-hr storm and still have a freeboard of 3.4 feet. The invert elevation on the dewatering pipe is set at 5910.0 ft.

2. Field Information

Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on outslopes of embankments, etc.

The pond inlets appear to be adequate. No substantial water was in the pond at the time of the inspection, with that water coming from the facility boot wash and flowing at a rate significantly less than 1 gpm. No substantial amount of sediment has accumulated in the pond. Soil piping has occurred on the outer edge of the embankment adjacent to the dewatering pipe. It appears that this piping is at least partially due to the erosive forces of the adjacent creek (Quitchupah Creek). Soil and vegetation should be removed from the affected area and the void should be backfilled with compacted soil. Riprap should be palced on the surface of the repaired area to minimize future erosion.

3. Field Evaluation.

Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period

The pond outslope adjacent to Quitchupah Creek is well vegetated and protected with boulders. No stability or operational concerns were noted other than the erosion noted in Item 2 of this report. Riprap at the point of inflow from the mine yard appears to be adequately protective of erosion.

QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Richard Stowell Date: 12 Dec 2008

CERTIFIED REPORT

IMPOUNDMENT EVALUATION

If you answer NO to these questions, please explain under comments

		YES	NO
1.	Is impoundment designed and constructed in accordance with the approved plan?	☒	☐
2.	Is impoundment free of instability, structural weakness, or any other hazardous conditions?	☒	☐
3.	Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?	☒	☐

COMMENTS/ OTHER INFORMATION

The pond appears to be functioning as designed.

CERTIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

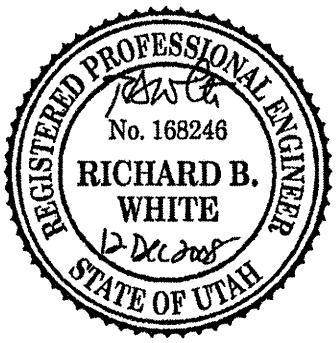
By: Richard B. White, P.E. - President, EarthFax Engineering, Inc.

Full Name and Title

Signature: Richard B White Date 12 Dec 2008

P.E. Number & State 168246, UT

[P.E. Cert. Stamp]



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GENERAL INFORMATION

Report Date	12 Dec 2008
Permit Number	ACT 015/015
Mine Name	Emery Mine
Company Name	Consolidated Coal Company

IMPOUNDMENT IDENTIFICATION

Impoundment Name	Pond 9
Impoundment Number	UPDES Outfall 009
UPDES Permit Number	UT0022616
MSHA ID Number	NA

IMPOUNDMENT INSPECTION

Inspection Date	5 Dec 2008
Inspected by	R.B. White
Reason for Inspection	Annual

(Annual, quarterly or other periodic inspections, critical installation , or completion of construction.)

1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.

None

Questions a and b are required for an impoundment, which functions as a Sedimentation pond.

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Design sediment storage volume = 0.32 AF
60% sediment cleanout volume = 0.18 AF
Sediment cleanout elevation = 6051.7 ft

b. Principle and emergency spillway elevations.

Spillway elevation = 6054.6 ft

2. Field Information

Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on outslopes of embankments, etc.

There was no water or substantial sediment in the pond at the time of the inspection. No signs of erosion were noted at the pond outlet or the spillway. No signs of instability were observed. Sediment had been removed from the pond since the past annual inspection.

3. Field Evaluation.

Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period

No stability or operational concerns were noted.

QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Richard D Wilson Date: 12 Dec 2008

CERTIFIED REPORT

IMPOUNDMENT EVALUATION

If you answer NO to these questions, please explain under comments

		YES	NO
1.	Is impoundment designed and constructed in accordance with the approved plan?	☒	☐
2.	Is impoundment free of instability, structural weakness, or any other hazardous conditions?	☒	☐
3.	Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection?	☒	☐

COMMENTS/ OTHER INFORMATION

The pond appears to be functioning as designed.

CERTIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

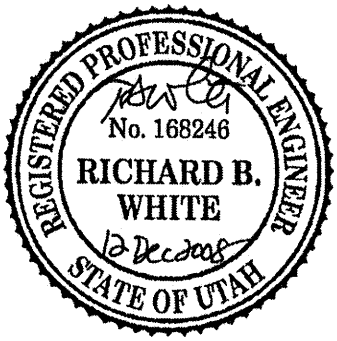
By: Richard B. White, P.E. - President, EarthFax Engineering, Inc.

Full Name and Title

Signature: Richard B White Date 12 Dec 2008

P.E. Number & State 168246, UT

[P.E. Cert. Stamp]



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INSPECTION FORM

COAL REFUSE PILES AND COAL WASTE IMPOUNDMENTS

Name J. Quinn Healy Title PE

Date 2/11/08 Date last inspected 11/19/07

Site Name Emery Temp. Coal Stockpile Mine Name Emery

Refuse Facility ID # (21)-UT-00079-01

Refuse piles---Part A only
Impoundments---Part A and Part B

Part A

1.	Foundation preparation (vegetation, topsoil removal?)	✓ Yes	___ No
2.	Lift Thickness (inches)		
3.	Compaction (4 to 6 complete passes)	✓ Yes	___ No
4.	Burning* (specify extent and location)	___ Yes	✓ No
5.	Angle of Slope (degrees)	2:1	
6.	Seepage* (specify location, color, & appr. volume	___ Yes	✓ No
7.	Cracks or scarps* (location, size)	___ Yes	✓ No
8.	Major erosion problems* (location and extent)	___ Yes	✓ No
o	Water impounding against toe*	___ Yes	✓ No

Part B

10.	Embankment freeboard (feet)		
11.	____Increase____Decrease in water level (feet)	___ Yes	___ No
12.	Sumps or sinkholes in slurry surface	___ Yes	___ No
13.	Clogging* (pipes, ditches, spillway)	___ Yes	___ No
14.	Trash racks clear and in place	___ Yes	___ No

* Adverse conditions noted in these items should be described (extent, location, volume, etc.) in the space provided. Major adverse changes could cause instability.

Inspection Category	Comments
	I inspected the site on 2/11/08.
	New material has been added since last inspection. Mine personnel will level & compact in lifts not to exceed 24 inches.
	The site drainage impoundment ditches are intact. There are no visible instabilities or other hazardous conditions.

LICENSED PROFESSIONAL ENGINEER
No. 275564
J. QUINN HEALY
2/11/08
STATE OF UTAH

INSPECTION FORM

COAL REFUSE PILES AND COAL WASTE IMPOUNDMENTS

Name Quinn Healy Title PE

Date 5/27/08 Date last inspected 2/11/08

Site Name Emery Temp. Coal Stockpile Mine Name Emery

Refuse Facility ID # 1211-UT-09-00079-01

Refuse piles---Part A only
Impoundments---Part A and Part B

Part A

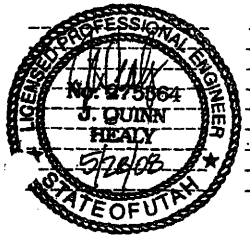
1.	Foundation preparation (vegetation, topsoil removal?)	X Yes	No
2.	Lift Thickness (inches)		
3.	Compaction (4 to 6 complete passes)	X Yes	No
4.	Burning* (specify extent and location)	Yes	X No
5.	Angle of Slope (degrees)	2:1	
6.	Seepage* (specify location, color, & appr. volume	Yes	X No
7.	Cracks or scarps* (location, size)	Yes	X No
8.	Major erosion problems* (location and extent)	Yes	X No
9.	Water impounding against toe*	Yes	X No

Part B

10.	Embankment freeboard (feet)		
11.	Increase Decrease in water level (feet)	Yes	No
12.	Sumps or sinkholes in slurry surface	Yes	No
13.	Clogging* (pipes, ditches, spillway)	Yes	No
14.	Trash racks clear and in place	Yes	No

* Adverse conditions noted in these items should be described (extent, location, volume, etc.) in the space provided. Major adverse changes could cause instability.

Inspection Category	Comments
	I inspected the refuse pile on 5/27/08.
	The refuse pile slopes are stable. The site drainage impoundment ditches are intact. There are no visible instabilities or other hazardous conditions.



FORM 1

INSPECTION FORM

COAL REFUSE PILES AND COAL WASTE IMPOUNDMENTS

Name Quinn Healy Title PE - UT LIC #275564-2202

Date 8/19/08 Date last inspected 5/27/08

Site Name Emery Temp. Coal Stockpile Mine Name Emery

Refuse Facility ID # 1211-UT-09-00079-01

Refuse piles---Part A only
Impoundments---Part A and Part B

Part A

1.	Foundation preparation (vegetation, topsoil removal?)	X Yes	No
2.	Lift Thickness (inches)		
3.	Compaction (4 to 6 complete passes)	X Yes	No
4.	Burning* (specify extent and location)	Yes	X No
5.	Angle of Slope (degrees)	2:1	
6.	Seepage* (specify location, color, & appr. volume	Yes	X No
7.	Cracks or scarps* (location, size)	Yes	X No
8.	Major erosion problems* (location and extent)	Yes	X No
9.	Water impounding against toe*	Yes	X No

Part B

10.	Embankment freeboard (feet)		
11.	____Increase____Decrease in water level (feet)	Yes	No
12.	Sumps or sinkholes in slurry surface	Yes	No
13.	Clogging* (pipes, ditches, spillway)	Yes	No
14.	Trash racks clear and in place	Yes	No

* Adverse conditions noted in these items should be described (extent, location, volume, etc.) in the space provided. Major adverse changes could cause instability.

Inspection Category	Comments
	I inspected the refuse pile on 8/19/08.
	The refuse pile slopes are stable. The site drainage impoundment ditches are intact. There are no visible instabilities or other hazardous conditions.

LICENSED PROFESSIONAL ENGINEER
No. 275564
C. QUINN HEALY
8/22/08
STATE OF UTAH

FORM 1

INSPECTION FORM

COAL REFUSE PILES AND COAL WASTE IMPOUNDMENTS

Name Quinn Healy Title PE - UT LIC #275564-2202

Date 11/16/08 Date last inspected 8/19/08

Site Name Emery Temp. Coal Stockpile Mine Name Emery

Refuse Facility ID # 1211-UT-09-00079-01

Refuse piles---Part A only
Impoundments---Part A and Part B

Part A

1.	Foundation preparation (vegetation, topsoil removal?)	X Yes	No
2.	Lift Thickness (inches)		
3.	Compaction (4 to 6 complete passes)	X Yes	No
4.	Burning* (specify extent and location)	Yes	X No
5.	Angle of Slope (degrees)	2:1	
6.	Seepage* (specify location, color, & appr. volume	Yes	X No
7.	Cracks or scarps* (location, size)	Yes	X No
8.	Major erosion problems* (location and extent)	Yes	X No
9.	Water impounding against toe*	Yes	X No

Part B

10.	Embankment freeboard (feet)		
11.	Increase Decrease in water level (feet)	Yes	No
12.	Sumps or sinkholes in slurry surface	Yes	No
13.	Clogging* (pipes, ditches, spillway)	Yes	No
14.	Trash racks clear and in place	Yes	No

* Adverse conditions noted in these items should be described (extent, location, volume, etc.) in the space provided. Major adverse changes could cause instability.

Inspection Category	Comments
	I inspected the refuse pile on 11/16/08.
	The refuse pile material is compacted and the slopes are stable. The site drainage impoundment ditches are intact. There are no instabilities or other hazardous conditions.

LICENSED PROFESSIONAL ENGINEER
No. 275564
J. QUINN
HEALY
11/17/08
STATE OF UTAH

FORM 1

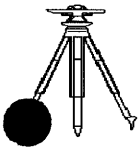
Consolidation Coal Co.
November 2008 - Annual Subsidence Survey

NAD 1983, Utah Central, US Survey feet
NAVD 1988

MEASURED POINTS

POINT NAME	NORTHING	EASTING	PREVIOUS ELEVATION	Nov. 2007 ELEVATION	Nov. 2008 ELEVATION
			ADJUSTED		
			OCT. 06 ELEV.		
H-1	6758256.55	1713035.05	6082.81	6082.74	6082.88
36	6756805.63	1713716.02	6041.05	6040.79	6041.00
SMH	6755882.85	1712049.12	6057.67	6057.32	6057.61
90-1	6755171.22	1712000.26	6037.91	6037.45	6037.70
90-2	6755593.14	1712304.86	6053.83	6053.39	6053.64
35	6761558.54	1711229.20	6106.36	6106.67	6106.80
83-1	6759093.54	1713116.69	6065.51	6065.46	6065.64
86-1	6757857.39	1706660.25	6003.40	6003.59	6003.84
86-2	6758652.96	1705551.95	6040.48	6040.76	6040.91
86-4	6760837.61	1702889.91	6078.44	6079.20	6079.40
86-5	6760155.85	1704278.88	6163.45	6163.97	6164.22
86-13	6759176.02	1704251.23	6036.06	6036.50	6036.65
88-2	6759134.95	1703887.62	6016.57	6017.01	6017.17
88-3	6758692.06	1704300.65	6014.34	6014.83	DESTROYED
88-4	6758006.11	1704828.28	5988.26	5988.56	5988.71
88-5	6757972.48	1705259.42	5994.61	5994.92	DESTROYED
88-6	6757177.64	1705879.38	5975.05	5975.24	5975.39
89-2	6762836.20	1705604.61	6200.08	6200.84	6200.98
89-3	6761091.78	1704846.48	6170.31	6170.90	6171.13
89-4	6762473.44	1706321.62	6184.86	6185.60	6185.69
90-03	6756435.50	1712926.84	6037.17	6036.93	6037.13
90-04	6757182.04	1713517.48	6031.02	6030.74	6030.89
90-05	6757982.75	1714123.43	6048.00	6047.81	6047.92
90-4	6756652.76	1713321.91	6043.29	6043.02	6043.27
90-5	6757394.42	1713688.58	6036.66	6036.41	6036.56
90-6	6758779.41	1714726.46	6050.72	6050.62	6050.82
SM-C	6758743.87	1714106.30	6051.44	6051.38	6051.64
91-01	6756669.94	1712000.00	6052.23	6052.01	6052.25
91-02	6757585.42	1713036.14	6051.46	6051.28	6051.41
91-03	6758030.88	1713361.38	6055.63	6055.45	6055.56
91-04	6758791.86	1713935.17	6051.81	6051.72	6051.91
87-1	6757159.14	1706351.37	5990.51	5990.59	5990.78
97-1	6759589.84	1709488.21	6117.57	6117.83	6117.94
97-2	6758894.76	1709132.54	6116.53	6116.66	6116.84
E	6759462.66	1712234.87	6082.64	6082.75	6082.89
E1/4 28	6758451.40	1713666.32	6054.53	6054.45	6054.56
H-6	6758064.50	1711094.12	6095.91	6095.93	6096.06
W	6756275.89	1705674.96	5958.82	5958.80	5958.94
L	6754880.54	1705574.55	5950.19	5950.06	5950.29
N	6755536.21	1706165.54	5950.23	5950.16	5950.36
SMK-2	6758755.59	1710054.13	6102.92	6102.95	6103.12
SMK-3	6758965.95	1711660.45	6082.15	6082.18	6082.28
			11-2006 ELEVATION		
6-01	6761645.96	1710904.27	6110.04	6110.09	6110.27
6-02	6761002.37	1710059.15	6116.61	6116.60	6116.79
6-03	6760565.27	1709554.45	6117.32	6117.33	6117.55
6-04	6758380.42	1707028.80	6023.68	6023.77	6019.63
6-05	6758719.90	1706656.21	6030.59	6030.68	6027.85
6-06	6759875.49	1705933.25	6143.18	6142.91	6142.85
6-07	6760863.83	1706266.65	6170.20	6169.65	DESTROYED
6-08	6759343.46	1706993.37	6065.73	6065.23	6064.69
6-09	6760017.86	1706164.92	6141.75	6139.26	6139.27
6-10	6760383.96	1705795.14	6150.80	6148.22	6148.25
6-11	6759493.36	1715652.26	6056.86	6056.87	6057.03
6-12	6760098.03	1714699.42	6076.19	6076.15	6076.39
6-13	6760891.31	1713698.10	6090.16	6090.17	6090.36

6-14	6761793.53	1712734.97	6097.29	6097.30	6097.48
6-15	6762265.78	1712329.15	6107.03	6107.08	6107.19
6-16	6759657.74	1716089.80	6059.39	6059.44	6059.57
6-17	6761139.50	1717065.30	6071.56	6071.66	6069.61
6-18	6761947.48	1717858.85	6081.27	6081.34	6081.87
6-19	6762448.91	1718246.74	6085.90	6085.96	6086.59
6-20	6762741.05	1718538.73	6090.48	6090.52	6091.33
6-21	6760438.20	1716180.06	6070.28	6070.30	6070.97
6-22	6761333.56	1714916.16	6090.69	6090.68	6090.93
6-23	6762101.13	1714019.00	6111.33	6111.31	6111.58
6-24	6761067.04	1716301.20	6080.76	6080.80	6081.42
6-25	6762329.01	1714637.51	6106.02	6106.01	6106.23
6-27	6764041.79	1715533.49	6114.65	6114.65	6114.79
6-29	6762703.00	1712897.66	6141.81	6141.85	6142.02
6-30	6763349.98	1713654.71	6131.17	6131.20	6131.41
6-34	6760357.41	1706945.65	6148.20	6148.07	6148.20
86-11	6760330.48	1707019.83	6153.72	6153.62	6153.73
86-8	6762484.75	1713660.38	6125.27	6125.27	6125.43
R BOLT	6759584.85	1705565.44	6151.78	6151.79	6151.25
			9-14-07 ELEVATION		
07-01	6759689.65	1717605.56	6077.19	6077.17	6077.36
07-02	6761395.09	1718892.63	6080.35	6080.35	6080.54
07-03	6759677.37	1716935.01	6059.25	6059.28	6059.49
07-04	6760461.70	1717523.64	6067.06	6067.06	6067.20
07-05	6761257.03	1718095.27	6075.77	6075.80	6075.76
07-06	6760573.27	1718252.26	6078.10	6078.13	6078.32
07-07	6759021.04	1716449.85	6065.37	6065.43	6065.58
07-08	6762043.96	1718677.76	6082.46	6082.48	6083.35



WARE SURVEYING & ENGINEERING

G.P.S. & CONVENTIONAL SURVEYING - AUTOCAD MAPPING - CIVIL ENGINEERING

Consol Emery Mine
Panel 14th West
Bryant No. 1
Flow Measurements made at dam breach

Date	Flow (gpm)
6/13/2007	77
7/24/2007	52
8/28/2007	75
9/20/2007	69
10/19/2007	59
11/15/2007	54
12/17/2007	frozen
1/15/2008	Flowing under, over & through ice/snow; can't measure, but flow appears to be similar to the November flow rate.
2/26/2008	67
3/21/2008	90
4/24/2008	35
5/22/2008	255

Consolidation Coal Company
Emery Mine
Permit 015/015
4th East portal dust plot samples

Coal Dust Plots – May 22, 2008

Site	Coal Surface Cover (%) and Thickness	Live Vegetative Cover (%)
1A	80-85	15
1B	75	25
1C	50	5
2A	95	10
2B	75	30
2C	45	20
3A	70	20
3B	70	15
3C	60	15

General Comments and Observations:

1) While attempts were made to orient the plot frame along the same alignment as previous surveys, some variation occurred. If this survey is to continue, recommend placing another corner stake on the diagonal corner to ensure consistency.

2) Coal cover is getting more difficult to estimate. It is getting more mixed in with the native soil, due probably to frost heave, trampling, and perhaps wind. Rather than areas of black coal and brownish soil, most of the area is comprised of varying shades of blackish brown to brownish black, so it is difficult to assign a percentage. We may need to contemplate a soil color-based method if this survey is to continue.

3) Because of 1 and 2 above, along with the inherent subjectivity of the observations, assigning specific trends in either vegetation or coal cover by specific plots is probably not valid. Instead, we should look at averages, and realize that small percentage differences are more likely due to the observational variation and the fact that plots are not exactly replicated.

Utah Department of Commerce
Division of Corporations & Commercial Code
160 East 300 South, 2nd Floor, S.M. Box 146705
Salt Lake City, UT 84114-6705
Phone: (801) 530-4849
Toll Free: (877)526-3994 Utah Residents
Fax: (801) 530-6438
Web Site: http://www.commerce.utah.gov

Registration Number: 599621-0143
Business Name: CONSOLIDATION COAL COMPANY
Registered Date: AUGUST 22, 1966

April 13, 2007

CERTIFIED COPY OF APPLICATION FOR CERTIFICATE OF AUTHORITY

THE UTAH DIVISION OF CORPORATIONS AND COMMERCIAL CODE ("DIVISION") HEREBY CERTIFIES THAT THE ATTACHED IS TRUE, CORRECT, AND COMPLETE COPY OF THE APPLICATION FOR CERTIFICATE OF AUTHORITY OF

CONSOLIDATION COAL COMPANY

AS APPEARS OF RECORD IN THE OFFICE OF THE DIVISION.

Kathy Berg
Director
Division of Corporations and Commercial Code

Filing Fee: $20.00

RECEIVED
OFFICE OF
SECRETARY OF STATE
1966 AUG 22 PM 2 12

File in Duplicate Originals

FILED in the office of the Secretary of State of the State of Utah, on the 12 day of Aug A.D. 1966
CLYDE L. MILLER
Secretary of State
Filing Clerk

APPLICATION FOR CERTIFICATE OF AUTHORITY OF

CONSOLIDATION COAL COMPANY
(EXACT CORPORATE NAME)

To the Secretary of State of the State of Utah:

45461

Pursuant to the provisions of Section 16-10-106 of the Utah Business Corporation Act, the undersigned corporation hereby applies for a Certificate of Authority to transact business in your State, and for that purpose submits the following statement:

FIRST: The name of the corporation is CONSOLIDATION COAL COMPANY

SECOND: It is incorporated under the laws of Delaware

THIRD: The date of its incorporation is December 8, 1965

and the period of its duration is perpetual

FOURTH: The address of its principal office in the state or country under the laws of which it is incorporated is 100 West Tenth Street, Wilmington, Delaware, c/o The Corporation Trust Company

FIFTH: The address of its proposed registered office in your State is 175 South Main Street, c/o C T Corporation System, Salt Lake City 11, Utah

and the name of its proposed registered agent in your State at that address is C T CORPORATION SYSTEM

SIXTH: The purpose or purposes which it proposes to pursue in the transaction of business in Utah are to market, distribute, buy, sell and deal in coal and other minerals and carry on any business which it may lawfully do incidental or appropriate to the same.

SEVENTH: The names and respective addresses of its directors and officers are:
(SEE ATTACHED RIDER)

Name	Office	Address
	Director	
	Director	
	Director	
	President	
	Vice President	
	Secretary	
	Treasurer	

EIGHTH: The aggregate number of shares which it has authority to issue, itemized by classes, par value of share, shares without par value, and series, if any, within a class, is:

Number of Shares	Class	Series	Par Value per Share or Statement that Shares are without Par Value
75,000	Common		$1,000 par value per share

NINTH: The aggregate number of its issued shares, itemized by classes, par value of shares, shares without par value, and series, if any, within a class, is:

Number of Shares	Class	Series	Par Value per Share or Statement that Shares are without Par Value
1	Common		$1,000.00

TENTH: The amount of its stated capital is $1,000.00

ELEVENTH: An estimate of the value of all property to be owned by it for the following year, wherever located, is $100,000.

TWELFTH: An estimate of the value of its property to be located within Utah during such year is $NONE

THIRTEENTH: An estimate of the gross amount of business to be transacted by it during such year is $100,000.

FOURTEENTH: An estimate of the gross amount of business to be transacted by it at or from places of business in Utah during such year is $100.

FIFTEENTH: This Application is accompanied by a copy of its articles of incorporation and all amendments thereto, duly authenticated by the proper officer of the state or country under the laws of which it is incorporated.

Dated August 4, 1966

CONSOLIDATION COAL COMPANY
EXACT CORPORATE NAME

By N B Mavris
~~PRESIDENT OR~~ VICE PRESIDENT

By Mary E Cassity
~~SECRETARY OR~~ ASSISTANT SECRETARY

STATE OF NEW YORK
COUNTY OF NEW YORK } ss.

I, Jonathan Tell, a notary public, do hereby certify that on this 4th day of August, 1966, personally appeared before me N. B. MAVRIS and MARY E. CASSITY, who, being by me first duly sworn, declared that they are Vice President and Assistant Secretary of CONSOLIDATION COAL COMPANY, that they signed the foregoing document as such officers of the corporation, and that the statements therein contained are true.

In witness whereof I have hereunto set my hand and seal this 4th day of August A.D. 1966

My commission expires March 30, 1967

Jonathan Tell
NOTARY PUBLIC

JONATHAN TELL
NOTARY PUBLIC, State of New York
No. 24-3940540
Qualified in Kings County
Cert. filed in New York County
Commission Expires March 30, 1967

Utah Division of Corporations & Commercial Code
Box 146705, Salt Lake City, Utah 84114-6705

ANNUAL REPORT / RENEWAL FORM

Entity Number	Entity Type	Renewal Fee	Expiration Date	LATE DATE & FEE
599621-0143	Corporation - Foreign - Profit	$12.00	8/22/2008	10/21/2008

SUBMIT SEPARATE PAYMENTS & SEPARATE COUPONS FOR MULTIPLE RENEWALS

This form must be type written or computer generated

Entity Name: CONSOLIDATION COAL COMPANY
(Print name exactly as filed)

Signature: _____
(Required for LLCs & LPs)

Printed Name & Title of Managing Authority (LLC) or General Partner (LP)

LLC DESIGNATED / PRINCIPAL OFFICE ADDRESS

PLEASE READ THE INSTRUCTIONS CAREFULLY

INSTRUCTIONS FOR ANNUAL REPORT / RENEWAL FORM

ENTITY NUMBER: This is the number issued to your business entity or trademark, either a 6 or 7 digit number followed by a hyphen and another 4 digit number.

ENTITY TYPE: This is the type of entity that you are renewing

RENEWAL FEE:

Domestic & Foreign Profit Corporations	$12.00	Late Fee	$10.00
Domestic & Foreign Non-Profit Corporations	$ 7.00	Late Fee	$10.00
Domestic & Foreign LLC	$12.00	Late Fee	$10.00
Domestic & Foreign LP	$12.00	Late Fee	$10.00
DBA	$22.00	Late Fee	$ N/A
Domestic & Foreign LLP	$22.00	Late Fee	$ N/A
Business Trust	$22.00	Late Fee	$ N/A
Trademark	$22.00	Late Fee	$ N/A

EXPIRATION DATE: This is the date that the renewal is due (Anniversary date of the entity)

LATE DATE & FEE: This is the date at which the renewal is overdue (see list above for applicable late fees)

ENTITY NAME: This is the name of the entity that you are renewing

SIGNATURE: LLCs & LPs must be signed by an authorized party - include the person's printed name & title on the line provided

DESIGNATED OFFICE: Domestic LLCs must provide their Designated Office Address, Foreign LLCs must provide their Principal Office Address

TIMELY RENEWAL: Pursuant to Utah Law, all renewals must be filed within their legally prescribed time. Failure to do so may result in the loss of all protection and privileges in the State of Utah

CHANGES: The **Registration Information Change Form** is used to make changes to your filing.
Download: http://www.corporations.utah.gov
Orders: orders@utah.gov or (801) 530-4849, toll free in-state (877) 526-3994

There is no fee involved with the Registration Information Change Form when it is filed in conjunction with the Annual Report / Renewal form during the entity's renewal period. However, if the Registration Information Change Form is filed at any other time during the year, the $12.00 non-refundable processing fee is still applicable.

OTHER: Carefully detach Renewal Coupon and submit to the Division of Corporations with the appropriate fee. **For multiple renewals please submit separate payments.** Payments are accepted by check or money order and should be payable to "State of Utah." **DO NOT SEND CASH.** Please indicate entity number and/or entity name on check. If you are faxing you must include a cover sheet with the number of a Visa, MasterCard or American Express and the date of expiration (Fax (801) 530-6438). If you have questions concerning this renewal or would like to check the status of your record please contact the Corporations Information Center at: (801) 530-4849 or toll free in-state (877) 526-3994 or go to http://www.utah.gov/serv/bes. Forms may be downloaded from our Web site: http://www.corporations.utah.gov

Under GRAMA {63-2-201}, all registration information maintained by the Division is classified as public record. For confidentiality purposes, the business entity physical address may be provided rather than the residential or private address of any individual affiliated with the entity.

CONSOLIDATION COAL COMPANY

List of Officers and Directors

Officers:

J. Brett Harvey Chairman & CEO	1800 Washington Road, Pittsburgh, PA 15241
Peter B. Lilly President	1800 Washington Road, Pittsburgh, PA 15241
Bart J. Hyita Chief Operating Officer	1800 Washington Road, Pittsburgh, PA 15241
Louis Barletta Jr. Vice President	1800 Washington Road, Pittsburgh, PA 15241
James A. Brock Vice President	1 Bridge Street, Monongah, WV 26554
Robert P. King Vice President	1800 Washington Road, Pittsburgh, PA 15241
John F. Zachwieja Vice President	1800 Washington Road, Pittsburgh, PA 15241
Alexander J. Reyes Secretary	1800 Washington Road, Pittsburgh, PA 15241
Lorraine L Ritter Controller & Asst. Sec.	1800 Washington Road, Pittsburgh, PA 15241
Rodney E. Ford Assistant Secretary	1800 Washington Road, Pittsburgh, PA 15241
Daniel S. Cangilla Treasurer	1800 Washington Road, Pittsburgh, PA 15241

Directors:

J. Brett Harvey	1800 Washington Road, Pittsburgh, PA 15241
William J. Lyons	1800 Washington Road, Pittsburgh, PA 15241
Peter B. Lilly	1800 Washington Road, Pittsburgh, PA 15241
John M. Reilly	1800 Washington Road, Pittsburgh, PA 15241
P. Jerome Richey	1800 Washington Road, Pittsburgh, PA 15241
Bart J. Hyita	1800 Washington Road, Pittsburgh, PA 15241
Robert P. King	1800 Washington Road, Pittsburgh, PA 15241

CONSOLIDATION COAL COMPANY
P.O. Box 12603
Pittsburgh, PA 15241
Phone: (412) 831-4683

UTAH STATE DEPT O. COMMERCE

Vendor No. 866729
Check No. 1520276350

Invoice Number	Invoice Date	Invoice Amount	Discount Amount	Net Amount
UT1520AR	08/05/2008	12.00	0.00	12.00
		Check Total.....		$ 12.00

THIS CHECK IS TENDERED IN FULL SETTLEMENT OF YOUR INVOICES LISTED HEREON.

PLEASE DETACH REMITTANCE BEFORE CASHING.

CHECK NUMBER
1520276350

Consolidation Coal Company
P.O. Box 12603, Pittsburgh, PA 15241

62-20/311
CHECK DATE
08/06/2008

DOLLARS	CENTS	
**********	12.00	USD

PAY

TO THE ORDER OF
UTAH STATE DEPT OF COMMERCE
PO BOX 25125
SALT LAKE CITY UT 84125-0125

CITIBANK, DELAWARE
ONE PENNS WAY
NEW CASTLE, DE 19720

⑈1520276350⑈ ⑆031100209⑆ 3865446⑈

utah.gov

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Utah Department of Commerce Business Entity Search

Help

Name	Type	City	Status
CONSOLIDATION COAL COMPANY	Corporation	PITTSBURGH	Active

Business Name: CONSOLIDATION COAL COMPANY
Entity Number: 599621-0143
Registration Date: 08/22/1966
State of Origin: DE

Address

1800 WASHINGTON RD
PITTSBURGH, PA 15241

Status

Status: Active
Status Description: Good Standing
This Status Date: 09/14/2000
Last Renewed: 08/12/2008
License Type: Corporation - Foreign - Profit
Delinquent Date: 08/22/2009

Registered Agent

Registered Agent: C T CORPORATION SYSTEM
[Search BES] [Search RPS]
Address Line 1: 136 EAST SOUTH TEMPLE, SUITE 2100
Address Line 2:
City: Salt Lake City
State: UT
Zip: 84111

Additional Information

Additional Principals

...

...nt:
STATE OF UTAH
DEPARTMENT OF COMMERCE
DIVISION OF CORPORATIONS & COMMERCIAL CODE
PO BOX 146705
SALT LAKE CITY UT 84114-6705

...turin...

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PERMIT NO. 4621

Annual Report/Renewal Notice

...lings for this business entity, select the
2.00 fee per image of a document for this

Entity Type:	**Corporation - Foreign - Profit**
Entity Number:	**599621-0143**
Renewal ID #:	**2326215**
Renew Before:	**8/22/2008**
Renewal Fee:	**$12.00**

...of Existence for this business entity, select
a **$ 12.00 fee** for this service. You will
. If you do not have Adobe Reader, click on

CONSOLIDATION COAL COMPANY
CT CORPORATION SYSTEM
136 EAST SOUTH TEMPLE STE 2100
SALT LAKE CITY UT 84111

...he principal individuals associated with this
...e assessed a **$ 1.00 fee** for this

...ch

Company Name: Consolidation Coal Company
Mailing Address: 1000 CONSOL Energy Drive
City: Canonsburg **State:** PA **ZIP:** 15317 **Telephone No.:** (724) 485-4000
FEIN: 13-2566594 **Ownership/Control relationship to CONSOL Energy Inc.:** 1st Tier Subsidiary

Entity I.D.: Consolidation Coal Company

Entity Name	Address & Telephone No.			SS # or FEIN #	Title	% Ownership	Start Date / End Date
CONSOL Energy Inc.	1000 CONSOL Energy Drive Canonsburg (724) 485-4000	PA	15317	51-0337383	Sole Shareholder	100%	01/01/1992
Louis Barletta Jr.	1000 CONSOL Energy Drive Canonsburg (724) 485-4000	PA	15317		Vice President	zero	01/01/2006
James A. Brock	1 Bridge Street Monongah (304) 534-4700	WV	26554		Vice President	zero	09/12/2005
Daniel S. Cangilla	1000 CONSOL Energy Drive Canonsburg (724) 485-4000	PA	15317		Treasurer	zero	01/01/2006
Rodney E. Ford	1000 CONSOL Energy Drive Canonsburg (724) 485-4000	PA	15317		Assistant Secretary	zero	06/15/2003
J. Brett Harvey	1000 CONSOL Energy Drive Canonsburg (724) 485-4000	PA	15317		Chairman	zero	10/09/2007
J. Brett Harvey	1000 CONSOL Energy Drive Canonsburg (724) 485-4000	PA	15317		Chief Executive Officer	zero	10/09/2007
J. Brett Harvey	1000 CONSOL Energy Drive Canonsburg (724) 485-4000	PA	15317		Director	zero	01/01/1998

Entity I.D.: **Consolidation Coal Company**

Entity Name	Address & Telephone No.	SS # or FEIN #	Title	% Ownership	Start Date End Date
Bart J. Hyita	1000 CONSOL Energy Drive Canonsburg PA 15317 (724) 485-4000		Chief Operating Officer	zero	10/09/2007
Bart J. Hyita	1000 CONSOL Energy Drive Canonsburg PA 15317 (724) 485-4000		Director	zero	01/01/2006
Robert P. King	1000 CONSOL Energy Drive Canonsburg PA 15317 (724) 485-4000		Director	zero	10/09/2007
Robert P. King	1000 CONSOL Energy Drive Canonsburg PA 15317 (724) 485-4000		Vice President	zero	08/21/2006
Peter B. Lilly	1000 CONSOL Energy Drive Canonsburg PA 15317 (724) 485-4000		Director	zero	11/01/2002
Peter B. Lilly	1000 CONSOL Energy Drive Canonsburg PA 15317 (724) 485-4000		President	zero	10/09/2007
William J. Lyons	1000 CONSOL Energy Drive Canonsburg PA 15317 (724) 485-4000		Director	zero	09/30/2000
Robert E. Pusateri	1000 CONSOL Energy Drive Canonsburg PA 15317 (724) 485-4000		Director	zero	08/21/2008
Alexander J. Reyes	1000 CONSOL Energy Drive Canonsburg PA 15317 (724) 485-4000		Secretary	zero	10/09/2007
P. Jerome Richey	1000 CONSOL Energy Drive Canonsburg PA 15317 (724) 485-4000		Director	zero	03/01/2005

Entity I.D.: Consolidation Coal Company

Entity Name	Address & Telephone No.	SS # or FEIN #	Title	% Ownership	Start Date / End Date
Lorraine L. Ritter	1000 CONSOL Energy Drive Canonsburg PA 15317 (724) 485-4000		Assistant Secretary	zero	03/01/2006
Lorraine L. Ritter	1000 CONSOL Energy Drive Canonsburg PA 15317 (724) 485-4000		Controller	zero	10/09/2007
John F. Zachwieja	1000 CONSOL Energy Drive Canonsburg PA 15317 (724) 485-4000		Vice President	zero	06/15/2003