

0010

*Outgoing*  
*cf 015/0015*  
*#3098*  
*#3103*

**From:** Steve Christensen  
**To:** Jim Smith; John Gefferth; OGMCOAL  
**Date:** 1/26/2009 2:40 PM  
**Subject:** Emery Tasks #3098 (Sub-station) and #3103 (Mid-term Review)  
**Place:** OGMCOAL

John,

I wanted to sent a quick follow up of our phone conversation for clarity sake and also to put something in the file as to what was agreed upon for reference later if needed.

As we discussed, the sub-station amendment (#3098) was conditionally approved. One of the conditions for approval was to provide updated bond sheets that reflect the addition of the sub-station at the 4th East Portal area.

The mid-term review (#3103) called for significant revisions and adjustments to the Emery Deep bond which Consol has provided to the Division. As the mid-term response is currently under DOGM review, it doesn't make sense to submit updated bonding sheets for the sub-station when they will have to be changed again once the mid-term review is completed and issued approval.

As such, hold off on submitting the updated bond sheets for the sub-station amendment (#3098). If there are deficiencies relative to the mid-term review (#3103), I will add as a deficiency, the need to reflect the sub-station in the recently revised bonding information. If there are no deficiencies following this latest DOGM review of the submitted mid-term information, then the condition from the substation amendment (#3098) will carry over into the conditional approval for the mid-term. Clear as mud?

If this runs counter to your understanding of our phone conversation, let me know. In short, hold off on submitting the clean copies of the sub-station amendment until we complete the mid-term review. We can then clean house in one swoop. Seeing as how the sub-station amendment is minor, this seems like a reasonable way to deal with this as there is overlap in the required bonding information due to the timing of the amendment submittal and mid-term response.

Let me know if you have any questions,  
Steve