C/015/015 Incoming

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

#3808
R

CONSOLENERGY

April 04, 2010

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
2010 Annual Report

Dear Mr. haddock:

Per your January 13, 2011 memo, enclosed please find two (2) copies of Consolidation Coal Company's, 2010 Annual Report for the Emery Mine.
A cd-rom has been included with the report in PDF format.
Also, please find two red binders with the confidential data included as well as a confidential cd to be placed in the confidential file.

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

Sincerely,

John Gefferth
Environmental Engineer

JAG/jag Emeryannual10.doc

File in:
☐ Confidential
☒ Shelf 2010 Annual Report
☐ Expandable
Date Folder 04/22/10 C/0150015 Incoming
See: Confidential For additional information
2010 annual Report

# CONSOLIDATION COAL COMPANY

# EMERY MINE

# PERMIT ACT/015/015

# ANNUAL REPORT FOR 2010

Submit by Email | Print Form | Reset Form

# Annual Report

Date: 4/6/11

This Annual Report shows information the Division has for your mine. Submit the completed document and any additional information identified in the Appendices to the Division by **March 31, 2011**. During a complete inspection an inspector will check and verify the information.

## GENERAL INFORMATION

| | | | |
|---|---|---|---|
| Company Name | Consolidation Coal Company | Mine Name | Emery Deep Mine |
| Permit Number | C/015/0015 | Permit expiration Date | 2016-01-07 |
| Operator Name | Consolidation Coal Company | Phone Number | +1 (618) 625-2041 |
| Mailing Address | P.O. Box 566 | Email | johngefferth@consolenergy.com |

City: Sesser State: IL Zip Code: 62884

## CERTIFIED REPORTS

| | | DOGM File Location or Annual Report Location |
|---|---|---|
| Excess Spoil Piles | ☐ Required ☒ Not Required | |
| Refuse Piles | ☒ Required ☐ Not Required | See Appendix A-2-Annual inspections |
| Impoundments | ☒ Required ☐ Not Required | See Appendix A-1-Annual inspections, A-3 pond design capacity |
| Other: | | |

## OPERATOR COMMENTS

## REVIEWER COMMENTS

☐ Met Requirements ☐ Did Not meet Requirements

RECEIVED
APR 12 2011
DIV. OF OIL, GAS & MINING

## 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 additional written response is required, it should be filed as an attachment to this report.

**Title: MONITOR FIVE ELIGIBLE SITES IN THE ZERO ZERO NORTH AREA FOR IMPACTS FROM MINING**
**Objective:** To monitor eligible cultural resource sites that could be damaged as a result of subsidence. Sites include: 42Em3964, 42Em3965, 42Em3966, 42Em3969, 42Em3974.
**Frequency:** Annually after undermining until the Division determines subsidence is no longer an impact.
**Status:** Ongoing. Undermining was expected to occur in 2010.
**Reports:** Annual
**Citation:** MRP, Confindential, Chap. X, Part A. page1.

**OPERATOR COMMENTS**

Refer to Appendix B-4 (CONFIDENTIAL binder)
MOAC Report #08-096b
Subsidence Assessment of sites 42EM3963 and 42EM3964

**REVIEWER COMMENTS** ☐ Met Requirements ☐ Did Not meet Requirements

**Title: INVESTIGATE STUDY INTO RECLAMATION PRACTICE**
**Objective:** To develop an enhanced reclamation plan, based upon an evaluation of soil chemistry and vegetation establishment on previous reclaimed sites (results located in Chp. 111, Appendix 1).
**Frequency:** Ongoing final report due with 2007 Annual Rpt
**Status: OVERDUE,** Enhanced reclamation plan to incorporate and utilize the best reclamation practices still outstanding.
**Reports:** Qualitative report annually, and quanitative report 4th and 6th year.
**Citation:** MRP, Chap III, page 4a, & Chapter III, Appendix 1

**OPERATOR COMMENTS**

**REVIEWER COMMENTS** ☐ Met Requirements ☐ Did Not meet Requirements

**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 for % coal, % live vegetative cover, and presence of cryptogrammic cover and soil color.
**Status:** Monthly inspections should be ongoing during periods of production. Include the name of the person collecting the data; soil color data; cryptogam observation.
**Reports:** baseline report and monthly reports to be kept onsite. (see also Division inspection report #258, 05/04/2004). Provide results of monitoring and name of qualified person conducting monitoring report. Build on the table provided in Chap. X-C, p. 5, with the inclusion of a column for soil color.
**Citation:** Chap X-C page 5b

**OPERATOR COMMENTS**

PLEASE NOT THAT THE TRANSECT MONITORING IS APPROVED FOR ANNUAL AND NOT MONTHLY.
Refer to Apendix B-3

**REVIEWER COMMENTS** ☐ Met Requirements ☐ Did Not meet Requirements

**Title: IDENTIFY CHEMICAL CHARACTERISTICS OF MATERIAL AS IT IS PLACED ON THE TEMPORARY COAL MINE WASTE STOCKPILE.**
**Objective:** In accordance with R645-301-731.300, sample and analyze waste for acid toxic parameters.
**Frequency:** 1 sample/600 cu yds of coal mine waste brought to the temporary stockpile.
**Status:** Ongoing
**Reports:** Provide analysis in annual report.
**Citation:** Chap. II, pg. 10

**OPERATOR COMMENTS**

N/A

**REVIEWER COMMENTS** ☐ Did Not meet Requirements ☐ Met Requirements

**The following commitments are related to subsidence monitoring. This information is required to be submitted monthly by the operator. The Division will review the submitted data yearly in this report in order to provide feedback to the permittee. These commitments are included for information only,and do not currently require action unless the permittee has not submitted the data during the past year.**

**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:** Track in Annual report to ensure compliance. Resubmittal of reports is not neccessary if operator has already done so. Division Engineer will review subsidence reports here to ensure compliance for the year.
**Citation:** Chapter V 1 of 3 Chapter V page 36.

**LOCATION OF REPORT IN MRP OR IN ELECTRONIC FILES :** See Monthly subsidence report

**REVIEWER COMMENTS** ☐ Met Requirements ☐ Did Not meet Requirements

**Title: Subsidence Monitoring**
**Objective:** Monitoring points over partial pillar sections that have been resurveyed once and where no significant movement (0.5') was found will be surveyed within one year. If this subsequent survey shows no significant movement from the original survey, the point will be surveyed again at one year intervals. Points over advancing sections need not be resurveyed unless there has been evidence that subsidence has taken place (caving).
**Frequency:** As needed
**Status:** On going
**Reports:** Track in Annual report to ensure compliance. Resubmittal of reports is not neccessary if operator has already done so. Division Engineer will review subsidence reports here to ensure compliance for the year.
**Citation:** Chapter V 1 of 3 Chapter V page 36

**LOCATION OF REPORT IN MRP OR IN ELECTRONIC FILES :** refer to Appendix B-1

**REVIEWER COMMENTS** ☐ Met Requirements ☐ Did Not meet Requirements

**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. **In future reports, Please give dates that points were established to track if the points have been re-surveyed within a year after mining has been completed.**
**Reports:** Track in Annual report to ensure compliance. Resubmittal of reports is not neccessary if operator has already done so. Division Engineer will review subsidence reports here to ensure compliance for the year.
**Citation:** Chapter V 1 of 3 Chapter V page 36

**LOCATION OF REPORT IN MRP OR IN ELECTRONIC FILES :** refer to Appendix B-1

**REVIEWER COMMENTS** ☐ Met Requirements ☐ Did Not meet Requirements

**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 mpas 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 taked to record pre and post subsidence, 3) The differential livel and horizonal survey summary, 4) a narrative.
**Frequency:** As needed. Permittee will submit report one month after completion of field survey.
**Status:** On going.
**Reports:** Track in Annual report to ensure compliance. Resubmittal of reports is not neccessary if operator has already done so. Division Engineer will review subsidence reports here to ensure compliance for the year.
**Citation:** Chapter V 1 of 3 Chapter V page 37.

**LOCATION OF REPORT IN MRP OR IN ELECTRONIC FILES :** refer to Appendix B-1

**REVIEWER COMMENTS** ☐ Met Requirements ☐ Did Not meet Requirements

**Title: SUBSIDENCE 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:** Track in Annual report to ensure compliance. Resubmittal of reports is not neccessary if operator has already done so. Division Engineer will review subsidence reports here to ensure compliance for the year.
**Citation:** Chapter V 1 of 3 Chapter V page 37.

**LOCATION OF REPORT IN MRP OR IN ELECTRONIC FILES :**

**REVIEWER COMMENTS** ☐ Met Requirements ☐ Did Not meet Requirements

**Title: Subsidence Monitoring**
**Objective:** The Permittee will provide the Division with a quaterly subsidence mitigation report that describes the surface mitigation projects and their status broken down by surface land owners.
**Frequency:** quarterly
**Status:** On going
**Reports:** Track in Annual report to ensure compliance. Resubmittal of reports is not neccessary if operator has already done so. Division Engineer will review subsidence reports here to ensure compliance for the year.
**Citation:** Chapter V 1 of 3 Chapter V page 37

**LOCATION OF REPORT IN MRP OR IN ELECTRONIC FILES :**

**REVIEWER COMMENTS** ☐ Met Requirements ☐ Did Not meet Requirements

**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 concervancy district.
**Frequency:** As needed. 6 months prior to full extraction.
**Status:** On going.
**Reports:** Track in Annual report to ensure compliance. Resubmittal of reports is not neccessary if operator has already done so. Division Engineer will review subsidence reports here to ensure compliance for the year.
**Citation:** Chapter V 1 of 3 Chapter V page 37.

**LOCATION OF REPORT IN MRP OR IN ELECTRONIC FILES :**

**REVIEWER COMMENTS** ☐ Met Requirements ☐ Did Not meet Requirements

**Title: SUBSIDENCE MONITORING**

**Objective:** New monitoring points established over parital pillar sections will be resurveyed within six months after final mining bas taken place beneath them.

**Frequency:** As needed.

**Status:** On going. **In future reports, Please give dates that points were established to track if the points have been re-surveyed within six months after final mining.**

**Reports:** Track in Annual report to ensure compliance. Resubmittal of reports is not neccessary if operator has already done so. Division Engineer will review subsidence reports here to ensure compliance for the year.

**Citation:** Chapter V 1 of 3 Chapter V page 36.

**LOCATION OF REPORT IN MRP OR IN ELECTRONIC FILES :** refer to Appendix B-1

**REVIEWER COMMENTS** ☐ Met Requirements ☐ Did Not meet Requirements

**The following commitments are not required for the current annual report year, but will be required by the permittee in the future as indicated by the Status item. These commitments are included for information only,and do not currently require action.**

**Title: SOIL SAMPLING AT 4TH EAST PORTAL**
**Objective:** Verify soil characteristics prior to final reclamation grading through sampling and analysis for pH, SAR, and EC, with particular attention to those areas that were treated with dust suppressant.
**Frequency:** At final reclamation
**Status:** at final reclamation
**Reports:** none
**Citation:** Chap III.C.1 page 11 and App. X.C-3, page 24

**OPERATOR COMMENTS (Optional)**

**Title: Soil Sampling of Pond No. 4 and Pond No. 9**
**Objective:** To determine if evaporative salts have accumulated to a toxic level.
**Frequency:** at final reclamation
**Status:** at final reclamation
**Reports:** at final reclamation
**Citation:** Chap III.C.1 page 12

**OPERATOR COMMENTS (Optional)**

**Title: Soil testing of reclaimed site before seeding**
**Objective:** verify suitability of growth media
**Frequency:** During reclamation
**Status:** At reclamation, before Seeding
**Reports:** NA
**Citation:** Chapter VIII.C.4, page 21 , paragraph 1

**OPERATOR COMMENTS (Optional)**

## 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 an attachment to this report or currently on file with the Division.

**Please List Attachments:**

Appendix B-2 Bryant (14th West) flow
Appendix B-3 4th East dust monitoring
Appendix B-5 Burrowing Owl Studies at the Emery Mine (see CONFIDENTIAL binder)
Appendix B-6 Emery town Well data

**REVIEWER COMMENTS** ☐ Met Requirements ☐ Did Not meet Requirements

## LEGAL, FINANCIAL, COMPLIANCE AND RELATED INFORMATION

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 an attachment to the report.

| LEGAL/FINANCIAL UPDATE | Included | DOGM File Location or Annual Report Location |
|---|---|---|
| Department of Commerce | ☑ | Appendix C-1 |
| List of Officers and Directors | ☑ | Appendix C-2 |
| | ☐ | |
| | ☐ | |

**REVIEWER COMMENTS** ☐ Met Requirements ☐ Did Not meet Requirements

## MAPS

Copies of mine maps, current and up-to-date through at least December 31, 2010, are to be provided to the Division as an attachment 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.

| Map Name | Map Number | Included | | Confidential | |
|---|---|---|---|---|---|
| | | Yes | No | Yes | No |
| Annual subsidence map | | ☐ | ☒ | ☐ | ☒ |
| Mine Map | Appendix D-1 | ☒ | ☐ | ☐ | ☒ |
| | | ☐ | ☐ | ☐ | ☐ |
| | | ☐ | ☐ | ☐ | ☐ |
| | | ☐ | ☐ | ☐ | ☐ |

**REVIEWER COMMENTS** ☐ Met Requirements ☐ Did Not meet Requirements

## 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 an attachment 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.

**Please List Attachments:**

**REVIEWER COMMENTS**

# APPENDIX A

## Certified Reports

Excess Spoil Piles
Refuse Piles
Impoundments

As required under R645-301-514

**CONTENTS**
**2010 Annual report**

***A-1 Annual Impoundment Inspections***

***A-2 Quarterly Coal Refuse Inspections***

***A-3 Pond design certification***

# Appendix A-1

## Annual Impoundment Inspections

EarthFax

EarthFax
Engineering, Inc.
Engineers/Scientists
7324 So. Union Park Ave.
Suite100
Midvale, Utah 84047
Telephone 801-561-1555
Fax 801-561-1861
www.earthfax.com

March 24, 2011

John Gefferth
Environmental Engineer
Consolidation Coal Company
P.O. Box 566
Sesser, IL 62884-0566

Subject: Emery Mine sedimentation pond 2010 annual inspections

Dear John:

I have reviewed the results of the annual sedimentation pond inspections that were performed by Peter Behling at the Emery Mine on December 22, 2011. The results of those inspections are attached. The results of these inspections are consistent with those I conducted at the site in December 2009 and March 2011. It is, therefore, my opinion that the ponds adequately serve their intended purpose and may continue to be used for that purpose.

I herby certify that I am experienced in the construction of impoundments; that 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 these structures; that the impoundments have been maintained in accordance with approved designs and meet or exceed 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 all appearances of instability, structural weakness, or other hazardous conditions of the structures affecting stability in accordance with Utah R645 Coal Mining Rules.

Please contact me if you have any questions.

Sincerely,

Richard B. White, P.E.
President

Enclosure

REGISTERED PROFESSIONAL ENGINEER
No. 168246
RICHARD B. WHITE
24 Mar 2011
STATE OF UTAH

Acros Wrsu

Emery Mine

IMPOUNDMENT AND REFUSE AREA INSPECTION FORM

Inspected by: PB Date: 12-22-10

Mine Name: Emery Facility Name: Pond 1 Date Last Inspected: 9-28-10

1. Size of impoundment (acres).....
2. Size of watershed affecting impoundment (acres).....
3. Capacity of impoundment (acre-feet).....
4. Elevation of water, slurry or sediment above upstream toe of structure at maximum capacity (feet).....
5. Embankment freeboard (feet).....
6. Elevation of water, slurry or sediment surface (feet)..... Discharging
7. Average width of crest (feet)..... 17.5
8. Cracks on crest..... ___ yes X no

| | upstream | downstream |
|---|---|---|
| 9. Cracks on slope | ___ yes X no | ___ yes X no |
| 10. Sloughing or bulging on slope | ___ yes X no | ___ yes X no |
| 11. Major erosion problems | ___ yes X no | ___ yes X no |
| 12. Angle of slope | 2:1 | 2:1 |

13. Water impounded against toe..... ___ yes X no
14. Surface movements in valley bottom or on hillside..... ___ yes X no
15. Abnormal seepage..... ___ yes X no
16. Visible sumps or sinkholes in slurry surface..... ___ yes X no
17. Clogging
    - Spillway channels and pipes..... ___ yes X no
    - Decant system..... ___ yes X no
    - Diversion ditches..... ___ yes X no
18. Cracking or crushing of pipes
    - Spillway pipes..... ___ yes X no
    - Decant system..... ___ yes X no
19. Trash racks clear and in place..... N/A yes ___ no
20. Refuse areas
    - Refuse graded and compacted..... N/A yes ___ no
    - Refuse burning..... N/A yes ___ no
    - Angle of slope (degrees)..... N/A

REGISTERED PROFESSIONAL ENGINEER
No. 168246
RICHARD B. WHITE
24 Mar 2011
STATE OF UTAH

Emery Mine

x YARD 1st BEFORE POND YARD

IMPOUNDMENT AND REFUSE AREA INSPECTION FORM

Inspected by: PB Date: 12-22-10

Mine Name: Emery Facility Name: POND 2 Date Last Inspected: 9-28-10

1. Size of impoundment (acres).....
2. Size of watershed affecting impoundment (acres).....
3. Capacity of impoundment (acre-feet).....
4. Elevation of water, slurry or sediment above upstream toe of structure at maximum capacity (feet).....
5. Embankment freeboard (feet)..... 3+
6. Elevation of water, slurry or sediment surface (feet)..... DRY
7. Average width of crest (feet)..... 20
8. Cracks on crest..... ___ yes X no

| | upstream | downstream |
|---|---|---|
| 9. Cracks on slope..... | ___ yes X no | ___ yes X no |
| 10. Sloughing or bulging on slope..... | ___ yes X no | ___ yes X no |
| 11. Major erosion problems..... | ___ yes X no | ___ yes X no |
| 12. Angle of slope..... | 2:1 | 2:1 |

13. Water impounded against toe..... ___ yes X no
14. Surface movements in valley bottom or on hillside..... ___ yes X no
15. Abnormal seepage..... ___ yes X no
16. Visible sumps or sinkholes in slurry surface..... ___ yes X no
17. Clogging
    - Spillway channels and pipes..... ___ yes X no
    - Decant system..... ___ yes X no
    - Diversion ditches..... ___ yes X no
18. Cracking or crushing of pipes
    - Spillway pipes..... ___ yes X no
    - Decant system..... ___ yes X no
19. Trash racks clear and in place..... N/A yes ___ no
20. Refuse areas
    - Refuse graded and compacted..... N/A yes ___ no
    - Refuse burning..... N/A yes ___ no
    - Angle of slope (degrees)..... N/A

REGISTERED PROFESSIONAL ENGINEER
No. 168246
RICHARD B. WHITE
24 Mar 2011
STATE OF UTAH

Emery Mine

A BREAKE/BONE YARD

IMPOUNDMENT AND REFUSE AREA INSPECTION FORM

Inspected by: PB Date: 12-22-10

Mine Name: Emery Facility Name: Pond 3 Date Last Inspected: 9-28-10

1. Size of impoundment (acres).....
2. Size of watershed affecting impoundment (acres).....
3. Capacity of impoundment (acre-feet).....
4. Elevation of water, slurry or sediment above upstream toe of structure at maximum capacity (feet).....
5. Embankment freeboard (feet)..... 3+
6. Elevation of water, slurry or sediment surface (feet)..... DRY
7. Average width of crest (feet)..... 11
8. Cracks on crest..... ___ yes X no

| | upstream | downstream |
|---|---|---|
| 9. Cracks on slope..... | ___ yes X no | ___ yes X no |
| 10. Sloughing or bulging on slope..... | ___ yes X no | ___ yes X no |
| 11. Major erosion problems..... | ___ yes X no | ___ yes X no |
| 12. Angle of slope..... | 2:1 | 2:1 |

13. Water impounded against toe..... ___ yes X no
14. Surface movements in valley bottom or on hillside..... ___ yes X no
15. Abnormal seepage..... ___ yes X no
16. Visible sumps or sinkholes in slurry surface..... ___ yes X no
17. Clogging
    - Spillway channels and pipes..... ___ yes X no
    - Decant system..... ___ yes X no
    - Diversion ditches..... ___ yes X no
18. Cracking or crushing of pipes
    - Spillway pipes..... ___ yes X no
    - Decant system..... ___ yes X no
19. Trash racks clear and in place..... N/A yes ___ no
20. Refuse areas
    - Refuse graded and compacted..... N/A yes ___ no
    - Refuse burning..... N/A yes ___ no
    - Angle of slope (degrees)..... N/A

REGISTERED PROFESSIONAL ENGINEER
No. 168246
RICHARD B. WHITE
24 Mar 2011
STATE OF UTAH

Emery Mine

IMPOUNDMENT AND REFUSE AREA INSPECTION FORM

*Y in Road

Inspected by: PB Date: 12-22-10

Mine Name: EMERY Facility Name: POND 5 Date Last Inspected: 9-28-10

1. Size of impoundment (acres).....
2. Size of watershed affecting impoundment (acres).....
3. Capacity of impoundment (acre-feet).....
4. Elevation of water, slurry or sediment above upstream toe of structure at maximum capacity (feet).....
5. Embankment freeboard (feet)..... 3+
6. Elevation of water, slurry or sediment surface (feet)..... 3" DEEP
7. Average width of crest (feet)..... 15
8. Cracks on crest..... ___ yes X no

| | upstream | downstream |
|---|---|---|
| 9. Cracks on slope | ___ yes X no | ___ yes X no |
| 10. Sloughing or bulging on slope | ___ yes X no | ___ yes X no |
| 11. Major erosion problems | ___ yes X no | ___ yes X no |
| 12. Angle of slope | 2:1 | 2:1 |

13. Water impounded against toe..... ___ yes X no
14. Surface movements in valley bottom or on hillside..... ___ yes X no
15. Abnormal seepage..... ___ yes X no
16. Visible sumps or sinkholes in slurry surface..... ___ yes X no
17. Clogging
    - Spillway channels and pipes..... ___ yes X no
    - Decant system..... ___ yes X no
    - Diversion ditches..... ___ yes X no
18. Cracking or crushing of pipes
    - Spillway pipes..... ___ yes X no
    - Decant system..... ___ yes X no
19. Trash racks clear and in place..... N/A yes ___ no
20. Refuse areas
    - Refuse graded and compacted..... N/A yes ___ no
    - Refuse burning..... N/A yes ___ no
    - Angle of slope (degrees)..... N/A

REGISTERED PROFESSIONAL ENGINEER
No. 168246
RICHARD B. WHITE
24 Mar 2011
STATE OF UTAH

Emery Mine

IMPOUNDMENT AND REFUSE AREA INSPECTION FORM

\# 003
BY ROAD

Inspected by: PB Date: 12-22-10

Mine Name: Emery Facility Name: Pond 6 Date Last Inspected: 9-28-10

1. Size of impoundment (acres).....
2. Size of watershed affecting impoundment (acres).....
3. Capacity of impoundment (acre-feet).....
4. Elevation of water, slurry or sediment above upstream toe of structure at maximum capacity (feet).....
5. Embankment freeboard (feet).....
6. Elevation of water, slurry or sediment surface (feet)..... DISCHARGING
7. Average width of crest (feet)..... 15
8. Cracks on crest..... ___ yes X no

| | upstream | downstream |
|---|---|---|
| 9. Cracks on slope..... | ___ yes X no | ___ yes X no |
| 10. Sloughing or bulging on slope..... | ___ yes X no | ___ yes X no |
| 11. Major erosion problems..... | ___ yes X no | ___ yes X no |
| 12. Angle of slope..... | 2:1 | 2:1 |

13. Water impounded against toe..... ___ yes X no
14. Surface movements in valley bottom or on hillside..... ___ yes X no
15. Abnormal seepage..... ___ yes X no
16. Visible sumps or sinkholes in slurry surface..... ___ yes X no
17. Clogging
    - Spillway channels and pipes..... ___ yes X no
    - Decant system..... ___ yes X no
    - Diversion ditches..... ___ yes X no
18. Cracking or crushing of pipes
    - Spillway pipes..... ___ yes X no
    - Decant system..... ___ yes X no
19. Trash racks clear and in place..... N/A yes ___ no
20. Refuse areas
    - Refuse graded and compacted..... N/A yes ___ no
    - Refuse burning..... N/A yes ___ no
    - Angle of slope (degrees)..... N/A

REGISTERED PROFESSIONAL ENGINEER
No. 168246
RICHARD B. WHITE
24 Mar 2011
STATE OF UTAH

Emery Mine

X OFFICE

IMPOUNDMENT AND REFUSE AREA INSPECTION FORM

Inspected by: PB Date: 12-22-10

Mine Name: Emery Facility Name: Pond 8 Date Last Inspected: 9-28-10

1. Size of impoundment (acres).....
2. Size of watershed affecting impoundment (acres).....
3. Capacity of impoundment (acre-feet).....
4. Elevation of water, slurry or sediment above upstream toe of structure at maximum capacity (feet).....
5. Embankment freeboard (feet)..... 3+
6. Elevation of water, slurry or sediment surface (feet)..... DRY
7. Average width of crest (feet)..... 10
8. Cracks on crest..... ___ yes X no

| | upstream | downstream |
|---|---|---|
| 9. Cracks on slope | ___ yes X no | ___ yes X no |
| 10. Sloughing or bulging on slope | ___ yes X no | ___ yes X no |
| 11. Major erosion problems | ___ yes X no | ___ yes X no |
| 12. Angle of slope | 2:1 | 2:1 |

13. Water impounded against toe..... ___ yes X no
14. Surface movements in valley bottom or on hillside..... ___ yes X no
15. Abnormal seepage..... ___ yes X no
16. Visible sumps or sinkholes in slurry surface..... ___ yes X no
17. Clogging
    - Spillway channels and pipes..... ___ yes X no
    - Decant system..... ___ yes X no
    - Diversion ditches..... ___ yes X no
18. Cracking or crushing of pipes
    - Spillway pipes..... ___ yes X no
    - Decant system..... ___ yes X no
19. Trash racks clear and in place..... N/A yes ___ no
20. Refuse areas
    - Refuse graded and compacted..... N/A yes ___ no
    - Refuse burning..... N/A yes ___ no
    - Angle of slope (degrees)..... N/A

REGISTERED PROFESSIONAL ENGINEER
No. 168246
RICHARD B. WHITE
24 Mar 2011
STATE OF UTAH

Emery Mine

IMPOUNDMENT AND REFUSE AREA INSPECTION FORM

~~office~~ 1 4E PORTAL

Inspected by: PB Date: 12-22-10

Mine Name: Emery Facility Name: POND 9 Date Last Inspected: 9-28-10

1. Size of impoundment (acres).....
2. Size of watershed affecting impoundment (acres).....
3. Capacity of impoundment (acre-feet).....
4. Elevation of water, slurry or sediment above upstream toe of structure at maximum capacity (feet).....
5. Embankment freeboard (feet)..... 3+
6. Elevation of water, slurry or sediment surface (feet)..... DRY
7. Average width of crest (feet)..... 6
8. Cracks on crest..... ___ yes X no

| | upstream | downstream |
|---|---|---|
| 9. Cracks on slope..... | ___ yes X no | ___ yes X no |
| 10. Sloughing or bulging on slope..... | ___ yes X no | ___ yes X no |
| 11. Major erosion problems..... | ___ yes X no | ___ yes X no |
| 12. Angle of slope..... | 2:1 | 2:1 |

13. Water impounded against toe..... ___ yes X no
14. Surface movements in valley bottom or on hillside..... ___ yes X no
15. Abnormal seepage..... ___ yes X no
16. Visible sumps or sinkholes in slurry surface..... ___ yes X no
17. Clogging
    - Spillway channels and pipes..... ___ yes X no
    - Decant system..... ___ yes X no
    - Diversion ditches..... ___ yes X no
18. Cracking or crushing of pipes
    - Spillway pipes..... ___ yes X no
    - Decant system..... ___ yes X no
19. Trash racks clear and in place..... N/A yes ___ no
20. Refuse areas
    - Refuse graded and compacted..... N/A yes ___ no
    - Refuse burning..... N/A yes ___ no
    - Angle of slope (degrees)..... N/A

REGISTERED PROFESSIONAL ENGINEER
No. 168246
RICHARD B. WHITE
24 Mar 2011
STATE OF UTAH

**Appendix A-2**

Quarterly Coal refuse Inspections

# INSPECTION FORM

## COAL REFUSE PILES AND COAL WASTE IMPOUNDMENTS

Name Quinn Healy Title PE

Date 2/14/10 Date last inspected 11/21/09

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) | 3:1 | |
| 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 2/14/10. |
| | The slopes are compacted and stable. The site drainage impoundment ditches are intact. There are no visible instabilities or other hazardous conditions. |

LICENSED PROFESSIONAL ENGINEER
No. 275564
J. QUINN HEALY
2/23/2010
STATE OF UTAH

# INSPECTION FORM

## COAL REFUSE PILES AND COAL WASTE IMPOUNDMENTS

Name Quinn Healy Title PE

Date 5/9/10 Date last inspected 2/14/10

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) | 3:1 | |
| 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 5/9/10. |
| | The slopes are compacted and stable. The site drainage impoundment ditches are intact. There are no visible instabilities or other hazardous conditions. |

LICENSED PROFESSIONAL ENGINEER
No. 275564
J. QUINN HEALY
5/11/10
STATE OF UTAH

FORM 1

# INSPECTION FORM

## COAL REFUSE PILES AND COAL WASTE IMPOUNDMENTS

Name Quinn Healy Title PE

Date 8/10/10 Date last inspected 5/9/10

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) | 3:1 | ___ |
| 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 8/10/10. |
| | The slopes are compacted and stable. The site drainage impoundment ditches are intact. There are no visible instabilities or other hazardous conditions. |

LICENSED PROFESSIONAL ENGINEER
No. 275564
J. QUINN HEALY
8/11/10
STATE OF UTAH

FORM 1

# INSPECTION FORM

## COAL REFUSE PILES AND COAL WASTE IMPOUNDMENTS

Name Quinn Healy Title PE

Date 11/20/10 Date last inspected 8/10/10

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) | 3:1 | |
| 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 11/20/10.

The slopes are compacted and stable. The site drainage impoundment ditches are intact. There are no visible instabilities or other hazardous conditions.

LICENSED PROFESSIONAL ENGINEER
No. 275564
J. QUINN
HEALY
11/20/10
STATE OF UTAH

FORM 1

# Appendix A-3

Pond Design Certification

EarthFax

EarthFax
Engineering, Inc.
Engineers/Scientists
7324 So. Union Park Ave.
Suite100
Midvale, Utah 84047
Telephone 801-561-1555
Fax 801-561-1861
www.earthfax.com

April 5, 2011

John Gefferth
Environmental Engineer
Consolidation Coal Company
P.O. Box 566
Route 148 North
Sesser, IL 62884-0566

Subject: Survey results,
Emery Mine Ponds 1 and 6

Dear John:

Attached are stage-capacity curves and associated data from the surveys that we performed on Ponds 1 and 6 at the Emery Mine on August 19, 2010. The survey data were collected using a Trimble Pathfinder ProXRT receiver that was deployed from a small boat.

The stage-capacity curves provide information concerning available sediment storage volumes in each pond. This information was obtained from a review of the pond designs presented in Appendix VI-7 of the Emery mining and reclamation plan. The "minimum required water storage" noted on the curves is equivalent to the "required settling volume" provided in Appendix VI-7 assuming an inflow rate of 1.93 million gallons per day to Pond 1 and 1.32 million gallons per day to Pond 6. With historic inflow to the ponds being much lower than these rates, the indicated "available sediment storage" volumes are conservatively low.

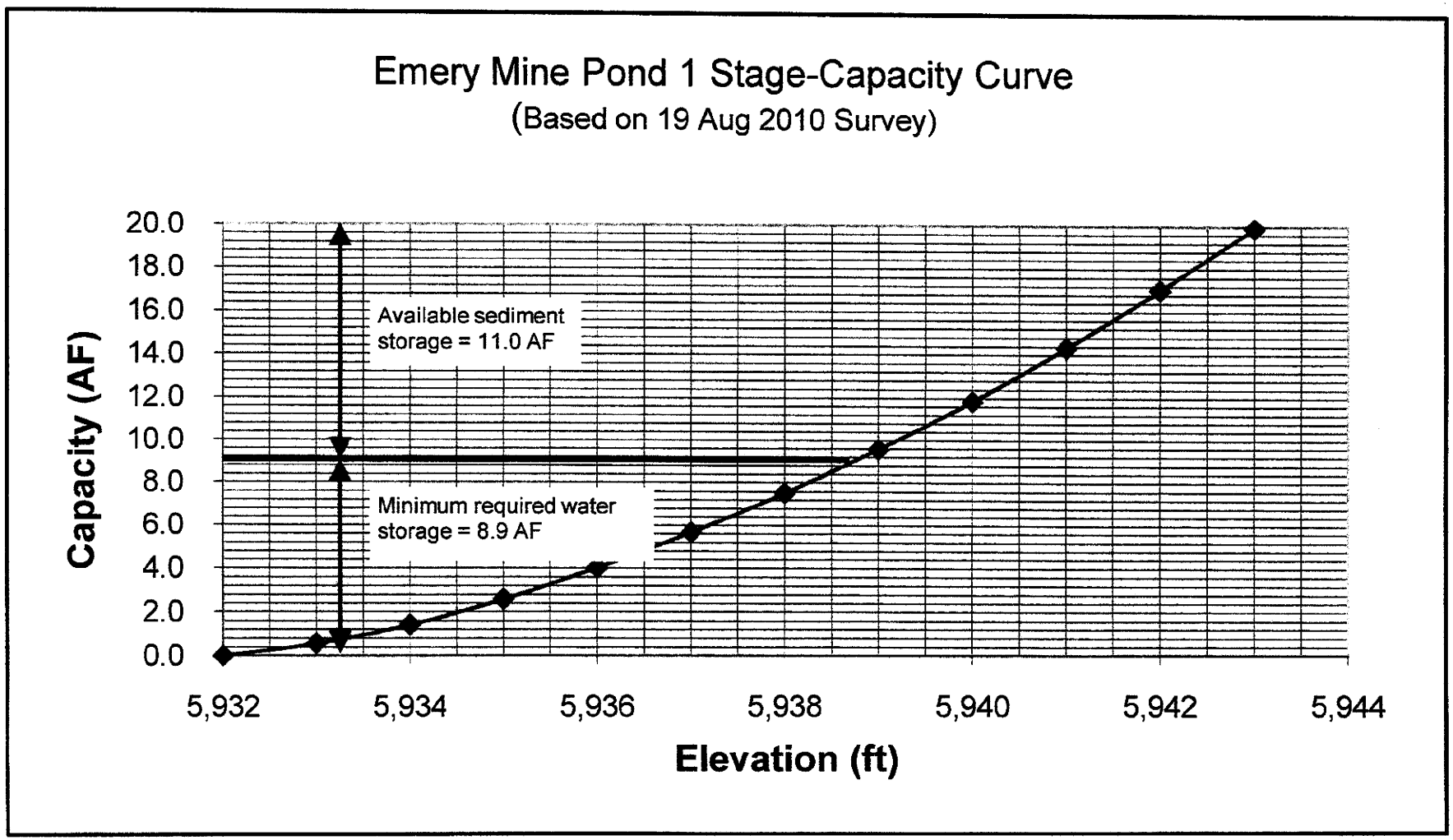
Please let me know if you have any questions concerning this matter.

Sincerely,

Rich

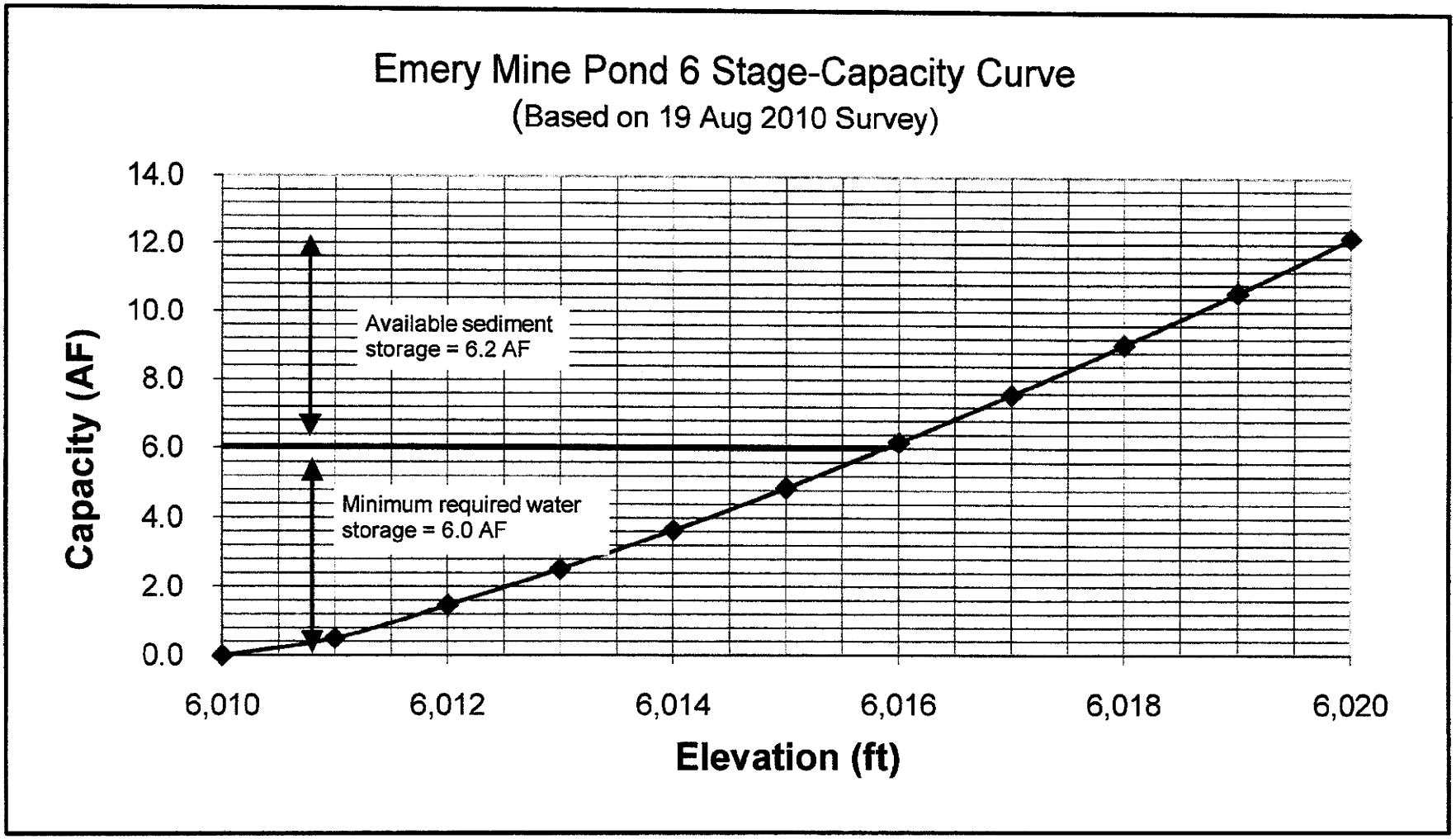
Richard B. White, P.E.
President

Attachment


Emery Mine Pond 1 Stage-Capacity Curve
(Based on 19 Aug 2010 Survey)
Capacity (AF)
20.0
18.0
16.0
14.0
12.0
10.0
8.0
6.0
4.0
2.0
0.0
Available sediment storage = 11.0 AF
Minimum required water storage = 8.9 AF
5,932
5,934
5,936
5,938
5,940
5,942
5,944
Elevation (ft)

Consolidation Coal Company
Emery Mine
Pond 1 survey - 19 Aug 2010

| Elevation (ft) | Area (ft^2) | Volume (ft^3) | Volume (AF) | Cumulative Volume (AF) |
|---|---|---|---|---|
| 5,932 | 19,043 | 0.00 | 0.00 | 0.00 |
| 5,933 | 30,354 | 24,699 | 0.57 | 0.57 |
| 5,934 | 44,135 | 37,245 | 0.86 | 1.42 |
| 5,935 | 58,105 | 51,120 | 1.17 | 2.60 |
| 5,936 | 66,995 | 62,550 | 1.44 | 4.03 |
| 5,937 | 75,986 | 71,491 | 1.64 | 5.67 |
| 5,938 | 85,078 | 80,532 | 1.85 | 7.52 |
| 5,939 | 94,264 | 89,671 | 2.06 | 9.58 |
| 5,940 | 103,564 | 98,914 | 2.27 | 11.85 |
| 5,941 | 112,743 | 108,154 | 2.48 | 14.33 |
| 5,942 | 121,667 | 117,205 | 2.69 | 17.02 |
| 5,943 | 130,477 | 126,072 | 2.89 | 19.92 |


Emery Mine Pond 6 Stage-Capacity Curve
(Based on 19 Aug 2010 Survey)
Capacity (AF)
14.0
12.0
10.0
8.0
6.0
4.0
2.0
0.0
Available sediment storage = 6.2 AF
Minimum required water storage = 6.0 AF
6,010
6,012
6,014
6,016
6,018
6,020
Elevation (ft)

Consolidation Coal Company
Emery Mine
Pond 6 survey - 19 Aug 2010

| Elevation (ft) | Area (ft^2) | Volume (ft^3) | Volume (AF) | Cumulative Volume (AF) |
|---|---|---|---|---|
| 6,010 | 3,428 | 0.00 | 0.00 | 0.00 |
| 6,011 | 40,365 | 21,897 | 0.50 | 0.50 |
| 6,012 | 43,887 | 42,126 | 0.97 | 1.47 |
| 6,013 | 47,517 | 45,702 | 1.05 | 2.52 |
| 6,014 | 51,186 | 49,352 | 1.13 | 3.65 |
| 6,015 | 54,918 | 53,052 | 1.22 | 4.87 |
| 6,016 | 58,720 | 56,819 | 1.30 | 6.17 |
| 6,017 | 62,519 | 60,620 | 1.39 | 7.57 |
| 6,018 | 65,743 | 64,131 | 1.47 | 9.04 |
| 6,019 | 68,720 | 67,232 | 1.54 | 10.58 |
| 6,020 | 71,675 | 70,198 | 1.61 | 12.19 |

# 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**
**2010 Annual report**


***B-1 Annual subsidence survey***

***B-2 Bryant (14th West) flows***

***B-3 4th East dust monitoring data***

***B-4 MOAC Report 08-096b***
***Subsidence Assessment of Sites 42EM3963, 42EM3964 (CONFIDENTIAL binder)***

***B-5 Burrowing Owl Studies at the Emery Mine***
***Mt. Nebo Scientific (CONFIDENTIAL binder)***

***B-6 Emery Town Well report***

**Appendix B-1**

Annual Subsidence Survey

# Consolidation Coal Co.
# December 2010 - 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 | Nov. 2009 ELEVATION | Dec. 2010 ELEVATION |
|---|---|---|---|---|---|---|---|
| | | | ADJUSTED | | | | |
| | | | OCT. 06 ELEV. | | | | |
| H-1 | 6758256.55 | 1713035.05 | 6082.81 | 6082.74 | 6082.88 | 6082.87 | 6082.94 |
| 36 | 6756805.63 | 1713716.02 | 6041.05 | 6040.79 | 6041.00 | 6040.89 | 6040.95 |
| SMH | 6755882.85 | 1712049.12 | 6057.67 | 6057.32 | 6057.61 | 6057.52 | 6057.59 |
| 90-1 | 6755171.22 | 1712000.26 | 6037.91 | 6037.45 | 6037.70 | 6037.63 | 6037.66 |
| 90-2 | 6755593.14 | 1712304.86 | 6053.83 | 6053.39 | 6053.64 | 6053.58 | 6053.63 |
| 35 | 6761558.54 | 1711229.20 | 6106.36 | 6106.67 | 6106.80 | | 6106.92 |
| 83-1 | 6759093.54 | 1713116.69 | 6065.51 | 6065.46 | 6065.64 | 6065.58 | 6065.62 |
| 86-1 | 6757857.39 | 1706660.25 | 6003.40 | 6003.59 | 6003.84 | 6003.86 | 6003.93 |
| 86-2 | 6758652.96 | 1705551.95 | 6040.48 | 6040.76 | 6040.91 | 6040.93 | 6040.97 |
| 86-4 | 6760837.61 | 1702889.91 | 6078.44 | 6079.20 | 6079.40 | 6079.40 | 6079.42 |
| 86-5 | 6760155.85 | 1704278.88 | 6163.45 | 6163.97 | 6164.22 | 6164.21 | 6164.25 |
| 86-13 | 6759176.02 | 1704251.23 | 6036.06 | 6036.50 | 6036.65 | 6036.63 | 6036.68 |
| 88-2 | 6759134.95 | 1703887.62 | 6016.57 | 6017.01 | 6017.17 | 6017.18 | 6017.20 |
| 88-3 | 6758692.06 | 1704300.65 | 6014.34 | 6014.83 | DESTROYED | DESTROYED | DESTROYED |
| 88-4 | 6758006.11 | 1704828.28 | 5988.26 | 5988.56 | 5988.71 | 5988.73 | 5988.72 |
| 88-5 | 6757972.48 | 1705259.42 | 5994.61 | 5994.92 | DESTROYED | DESTROYED | DESTROYED |
| 88-6 | 6757177.64 | 1705879.38 | 5975.05 | 5975.24 | 5975.39 | 5975.42 | 5975.56 |
| 89-2 | 6762836.20 | 1705604.61 | 6200.08 | 6200.84 | 6200.98 | 6200.95 | 6201.03 |
| 89-3 | 6761091.78 | 1704846.48 | 6170.31 | 6170.90 | 6171.13 | 6171.11 | 6171.10 |
| 89-4 | 6762473.44 | 1706321.62 | 6184.86 | 6185.60 | 6185.69 | 6185.77 | 6185.81 |
| 90-03 | 6756435.50 | 1712926.84 | 6037.17 | 6036.93 | 6037.13 | 6037.04 | 6037.04 |
| 90-04 | 6757182.04 | 1713517.48 | 6031.02 | 6030.74 | 6030.89 | 6030.76 | 6030.89 |
| 90-4 | 6756652.76 | 1713321.91 | 6043.29 | 6043.02 | 6043.27 | 6043.16 | 6043.17 |
| 90-5 | 6757394.42 | 1713688.58 | 6036.66 | 6036.41 | 6036.56 | 6036.50 | 6036.55 |
| 90-6 | 6758779.41 | 1714726.46 | 6050.72 | 6050.62 | 6050.82 | 6050.78 | 6050.84 |
| SM-C | 6758743.87 | 1714106.30 | 6051.44 | 6051.38 | 6051.64 | 6051.53 | 6051.57 |
| 91-01 | 6756669.94 | 1712000.00 | 6052.23 | 6052.01 | 6052.25 | 6052.67 | 6052.20 |
| 91-02 | 6757585.42 | 1713036.14 | 6051.46 | 6051.28 | 6051.41 | 6051.38 | 6051.44 |
| 91-03 | 6758030.88 | 1713361.38 | 6055.63 | 6055.45 | 6055.56 | 6055.61 | 6055.62 |
| 91-04 | 6758791.86 | 1713935.17 | 6051.81 | 6051.72 | 6051.91 | 6051.82 | 6051.79 |
| 87-1 | 6757159.14 | 1706351.37 | 5990.51 | 5990.59 | 5990.78 | 5990.81 | 5990.90 |
| 97-1 | 6759589.84 | 1709488.21 | 6117.57 | 6117.83 | 6117.94 | 6117.97 | 6117.97 |
| 97-2 | 6758894.76 | 1709132.54 | 6116.53 | 6116.66 | 6116.84 | 6116.87 | 6116.87 |
| E | 6759462.66 | 1712234.87 | 6082.64 | 6082.75 | 6082.89 | 6082.95 | 6082.97 |
| E1/4 28 | 6758451.40 | 1713666.32 | 6054.53 | 6054.45 | 6054.56 | 6054.52 | 6054.52 |
| H-6 | 6758064.50 | 1711094.12 | 6095.91 | 6095.93 | 6096.06 | 6096.02 | 6096.04 |
| W | 6756275.89 | 1705674.96 | 5958.82 | 5958.80 | 5958.94 | DESTROYED | DESTROYED |
| L | 6754880.54 | 1705574.55 | 5950.19 | 5950.06 | 5950.29 | 5950.28 | 5950.21 |
| N | 6755536.21 | 1706165.54 | 5950.23 | 5950.16 | 5950.36 | 5950.39 | 5950.33 |
| SMK-2 | 6758755.59 | 1710054.13 | 6102.92 | 6102.95 | 6103.12 | 6103.13 | 6103.13 |
| SMK-3 | 6758965.95 | 1711660.45 | 6082.15 | 6082.18 | 6082.28 | 6082.27 | 6082.34 |
| | | | 11-2006 ELEVATION | | | | |
| 6-01 | 6761645.96 | 1710904.27 | 6110.04 | 6110.09 | 6110.27 | 6110.27 | 6110.33 |
| 6-02 | 6761002.37 | 1710059.15 | 6116.61 | 6116.60 | 6116.79 | 6116.88 | 6116.81 |
| 6-03 | 6760565.27 | 1709554.45 | 6117.32 | 6117.33 | 6117.55 | 6117.69 | 6117.57 |
| 6-04 | 6758380.42 | 1707028.80 | 6023.68 | 6023.77 | 6019.63 | 6019.51 | 6019.52 |
| 6-05 | 6758719.90 | 1706656.21 | 6030.59 | 6030.68 | 6027.85 | 6027.67 | 6027.58 |
| 6-06 | 6759875.49 | 1705933.25 | 6143.18 | 6142.91 | 6142.85 | 6142.71 | 6142.70 |
| 6-07 | 6760863.83 | 1706266.65 | 6170.20 | 6169.65 | DESTROYED | DESTROYED | DESTROYED |
| 6-08 | 6759343.46 | 1706993.37 | 6065.73 | 6065.23 | 6064.69 | 6064.36 | 6064.22 |
| 6-09 | 6760017.86 | 1706164.92 | 6141.75 | 6139.26 | 6139.27 | 6139.11 | 6139.04 |
| 6-10 | 6760383.96 | 1705795.14 | 6150.80 | 6148.22 | 6148.25 | 6148.13 | 6148.12 |
| 6-11 | 6759493.36 | 1715652.26 | 6056.86 | 6056.87 | 6057.03 | 6057.01 | 6057.04 |
| 6-12 | 6760098.03 | 1714699.42 | 6076.19 | 6076.15 | 6076.39 | 6076.35 | 6076.40 |
| 6-13 | 6760891.31 | 1713698.10 | 6090.16 | 6090.17 | 6090.36 | 6090.35 | 6090.33 |
| 6-14 | 6761793.53 | 1712734.97 | 6097.29 | 6097.30 | 6097.48 | 6097.43 | 6097.38 |
| 6-15 | 6762265.78 | 1712329.15 | 6107.03 | 6107.08 | 6107.19 | DESTROYED | DESTROYED |
| 6-16 | 6759657.74 | 1716089.80 | 6059.39 | 6059.44 | 6059.57 | 6059.56 | 6059.59 |
| 6-17 | 6761139.50 | 1717065.30 | 6071.56 | 6071.66 | 6069.61 | 6069.11 | 6068.97 |
| 6-18 | 6761947.48 | 1717858.85 | 6081.27 | 6081.34 | 6081.87 | 6081.54 | 6081.46 |
| 6-19 | 6762448.91 | 1718246.74 | 6085.90 | 6085.96 | 6086.59 | 6086.17 | 6086.11 |
| 6-20 | 6762741.05 | 1718538.73 | 6090.48 | 6090.52 | 6091.33 | 6090.73 | 6090.64 |
| 6-21 | 6760438.20 | 1716180.06 | 6070.28 | 6070.30 | 6070.97 | 6070.38 | 6070.50 |
| 6-22 | 6761333.56 | 1714916.16 | 6090.69 | 6090.68 | 6090.93 | 6090.92 | 6090.85 |

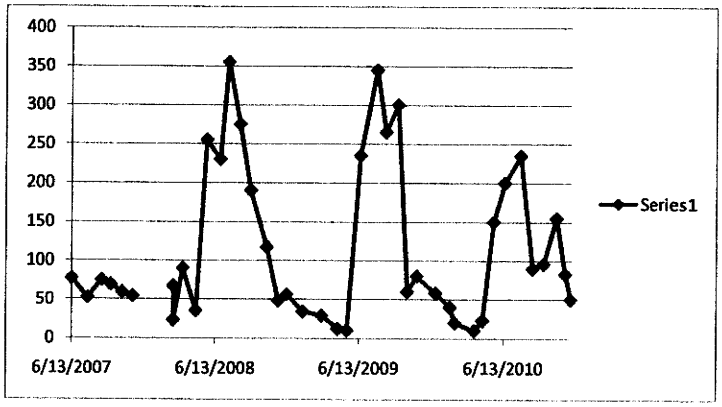
| | | | | | | | |
|---|---|---|---|---|---|---|---|
| 6-23 | 6762101.13 | 1714019.00 | 6111.33 | 6111.31 | 6111.58 | 6111.52 | 6111.45 |
| 6-24 | 6761067.04 | 1716301.20 | 6080.76 | 6080.80 | 6081.42 | 6079.91 | 6078.15 |
| 6-25 | 6762329.01 | 1714637.51 | 6106.02 | 6106.01 | 6106.23 | 6106.28 | 6106.13 |
| 6-27 | 6764041.79 | 1715533.49 | 6114.65 | 6114.65 | 6114.79 | 6114.81 | 6114.83 |
| 6-29 | 6762703.00 | 1712897.66 | 6141.81 | 6141.85 | 6142.02 | 6142.00 | 6141.99 |
| 6-30 | 6763349.98 | 1713654.71 | 6131.17 | 6131.20 | 6131.41 | 6131.32 | 6131.29 |
| 6-34 | 6760357.41 | 1706945.65 | 6148.20 | 6148.07 | 6148.20 | 6147.88 | 6147.83 |
| 86-11 | 6760330.48 | 1707019.83 | 6153.72 | 6153.62 | 6153.73 | 6153.39 | 6153.37 |
| 86-8 | 6762484.75 | 1713660.38 | 6125.27 | 6125.27 | 6125.43 | 6125.43 | 6125.43 |
| R BOLT | 6759584.85 | 1705565.44 | 6151.78 | 6151.79 | 6151.25 | 6151.17 | 6151.12 |
| | **9-14-07 ELEVATION** | | | | | | |
| 07-01 | 6759689.65 | 1717605.56 | 6077.19 | 6077.17 | 6077.36 | 6077.32 | 6077.42 |
| 07-02 | 6761395.09 | 1718892.63 | 6080.35 | 6080.35 | 6080.54 | 6080.60 | 6080.58 |
| 07-03 | 6759677.37 | 1716935.01 | 6059.25 | 6059.28 | 6059.49 | 6059.43 | 6059.48 |
| 07-04 | 6760461.70 | 1717523.64 | 6067.06 | 6067.06 | 6067.20 | 6067.12 | 6067.22 |
| 07-05 | 6761257.03 | 1718095.27 | 6075.77 | 6075.80 | 6075.76 | 6075.70 | 6075.75 |
| 07-06 | 6760573.27 | 1718252.26 | 6078.10 | 6078.13 | 6078.32 | 6078.32 | 6078.32 |
| 07-07 | 6759021.04 | 1716449.85 | 6065.37 | 6065.43 | 6065.58 | 6065.63 | 6065.68 |
| 07-08 | 6762043.96 | 1718677.76 | 6082.46 | 6082.48 | 6083.35 | 6082.68 | 6082.64 |
| | **8-21-09 ELEVATION** | | | | | | |
| 09-01 | 6761952.49 | 1716938.13 | 6080.76 | | | 6080.40 | 6080.09 |
| 09-03 | 6761294.34 | 1709303.71 | 6125.44 | | | | 6125.41 |
| 09-04 | 6762109.15 | 1710461.68 | 6119.61 | | | | 6119.62 |
| 09-05 | 6763111.43 | 1710025.90 | 6135.53 | | | | 6134.91 |
| 09-06 | 6763680.48 | 1709550.41 | 6147.18 | | | | 6146.97 |
| 09-09 | 6762038.07 | 1707708.75 | 6167.88 | | | | 6167.89 |
| 09-10 | 6762015.46 | 1708703.97 | 6141.18 | | | | 6141.18 |
| 11W-02 | 6761123.43 | 1707793.81 | 6151.79 | | | | 6151.73 |
| 11W-09 | 6760858.27 | 1708526.84 | 6137.60 | | | | 6137.52 |
| 86-7 | 6761413.82 | 1713876.28 | 6103.92 | | | | 6103.90 |
| 86-10 | 6760465.35 | 1715272.28 | 6077.71 | | | | 6077.64 |
| | | | | | | | |

**Appendix B-2**

Bryant (14th West) flows

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, b |
| 2/26/2008 | 67 | |
| 3/21/2008 | 90 | |
| 4/24/2008 | 35 | |
| 5/22/2008 | 255 | |
| 6/25/2008 | 230 | |
| 7/16/2008 | 355 | |
| 8/14/2008 | 275 | |
| 9/10/2008 | 190 | |
| 10/21/2008 | 117 | |
| 11/19/2008 | 48 | |
| 12/11/2008 | 56 | |
| 1/21/2009 | 34 | |
| 2/26/2008 | 23 | |
| 3/10/2009 | 29 | |
| 4/20/2009 | 12 | |
| 5/13/2009 | 10 | |
| 6/16/2009 | 235 | |
| 7/27/2009 | 345 | |
| 8/19/2009 | 265 | |
| 9/18/2009 | 300 | |
| 10/12/2009 | 60 | |
| 11/5/2009 | 80 | |
| 12/23/2009 | 58 | |
| 1/28/2010 | 40 | |
| 2/9/2010 | | Channel iced over, broke through to measure, but |
| | 20 | results could be affected by remaining ice. |
| 3/30/2010 | 10 | |
| 4/20/2010 | 23 | |
| 5/18/2010 | 150 | |
| 6/15/2010 | 200 | |
| 7/26/2010 | 235 | |
| 8/26/2010 | 90 | |
| 9/23/2010 | 96 | |
| 10/26/2010 | 155 | |
| 11/17/2010 | 83 | |
| 12/1/2010 | 50 | |



**Appendix B-3**

4th East Dust monitoring data

**Consol Emery Mine - Coal Dust Plots**

Observations made on May 18, 2010 by Karla Knoop (JBR Environmental Consultants, Inc.) and Priscilla Burton (Utah Division of Oil, Gas and Mining)

| Site | Mixed Soil/Coal Cover (%) | Dominant Color of Soil/Coal Mixture | Bare Soil and/or Rock Cover (%) | Color of Bare Soil | Live Vegetative Cover (%) | Notes |
|---|---|---|---|---|---|---|
| 1A | 95 | 10YR 7.5/1 | <2 | 10YR 6/3 | 3 | No cryptogams observed. |
| 1B | 35 | 10YR 5.5/1 | 40 | | 20-25 | No cryptogams observed. |
| 1C | 35 | 10YR 5/3 | 60 | | 4 | Lichen growth noted on a small percentage of the rock. No cryptogams observed. |
| 2A | Plot was destroyed by recent power line construction | | | | | |
| 2B | 35 | 10YR 5/1 | 30 | 10YR 6/2 | 25 | Lichen growth noted on a small percentage of the rock. No cryptogams observed. |
| 2C | 40 | 10YR 6/1 | 50 | 10YR 6/4 | 12 | Lichen growth noted on a small percentage of the rock. Several cryptogams observed. |
| 3A | Plot was destroyed by recent power line construction | | | | | |
| 3B | 10 | 10YR 5/1 | 70 | 10YR 6/3 | 20 | Several cryptogams observed. Recent water erosion appears to have removed some surface coal fines. |
| 3C | 45 | 10YR 6/2 | 45 | | 5 | No cryptogams observed. |

Note: Plots still contain observable amounts of coal particles residing on the ground surface. However, where present these coal particles have become intermixed with native soils. Rather than the more-or-less solid blackened areas that were observed during the first years of monitoring, the majority of the coal-impacted area is currently made up of varying ratios of very fine coal-to-soil particles. This blending results in areas whose colors vary both by value (lighter versus darker) and chroma (intensity versus grayness). To help describe these coal-soil intermixed areas, Munsell soil color notations were recorded. (All color observations at the site were in the same hue: yellow-red.) Where color in these areas begins to reach that of the adjacent native soil, the ratio of coal-to-soil appears to be greatly reduced.

**Appendix B-4**

MOAC Report 08-096b

Subsidence Assessment of sites 42EM3963, 42EM3964

**SEE CONFIDENTIAL BINDER**

**Appendix B-5**

Burrowing Owl Studies

At the Emery Mine

**SEE CONFIDENTIAL BINDER**

**Appendix B-6**

Emery Town Well Report

January 28, 2011

EarthFax

EarthFax
Engineering, Inc.
Engineers/Scientists
7324 So. Union Park Ave.
Suite100
Midvale, Utah 84047
Telephone 801-561-1555
Fax 801-561-1861
www.earthfax.com

John Gefferth
Environmental Engineer
Consolidation Coal Company
P.P. Box 566
Sesser, IL 62884-0566

Subject: Emery Town Well Data

Dear John:

Attached is a summary of the data collected from the Emery Town wells. Explanatory notes are provided at the bottom of the spreadsheet to assist in data interpretation. As noted on page VI-22 of the M&RP, the driller's log of Emery Well #2 reports a static water level in this well of 91 feet below ground surface in 1979. An apparent static water level of 85 feet below ground surface was measured in November 2007. However, I observed in November 2010 that the air line used to measure water levels was plugged. Therefore, the pump was pulled from that well in December 2010 and a depth to water of 228.15 was measured.

It is my opinion that the apparent 137-foot difference between the driller's log report and the December 2010 measurement was not due to mining activity. This opinion is based on data collected at monitoring well H(U), completed in the upper Ferron Sandstone immediately north of the adjacent area boundary (see Plates VI-1 and VI-7). Since Emery Well #2 is completed in the upper and middle Ferron Sandstone, monitoring well H(U) is considered an appropriate indicator of water-level conditions between the mining area to the south and the Emery Town wells located about 14,000 feet north-northeast of well H(U). As indicated in the attached graph of data collected from well H(U), water levels at the monitoring well have generally experienced only a $\pm$ 10-foot variation since 1979. Hence, the apparent decline of 137 feet at Emery Well #2 cannot be attributed to mining-related impacts. In my opinion, it is more likely that the apparent decline at Emery Well #2 is more likely due to one or both of the following:

- The 1979 water level at the Emery well may have been incorrectly noted. The well log indicates that this well was drilled to a depth of 2,535 feet but completed to a depth of only 1,555 feet. It is possible that confined conditions exist at depths below the level of completion and that the static water level was measured prior to final completion. For instance, water levels reported for monitoring well H(L) completed in the lower Ferron Sandstone at generally about 40 higher than those reported for well H(U) in the upper Ferron Sandstone. Thus, the "apparent" static water level recorded for Emery Well #2 in 1979 may not be indicative of the condition following completion.
- In addition, Emery Well #1, located about 90 feet north of Well #2, is a producing well. The drawdown effects created by pumping from Well #1 probably affect the water level at Well #2.

Please let me know if you have any questions concerning my analysis.

Sincerely,

Rich

Richard B. White, P.E.
President

Enclosure

**Emery Town well data**
**Consolidation Coal Company - Emery Mine**

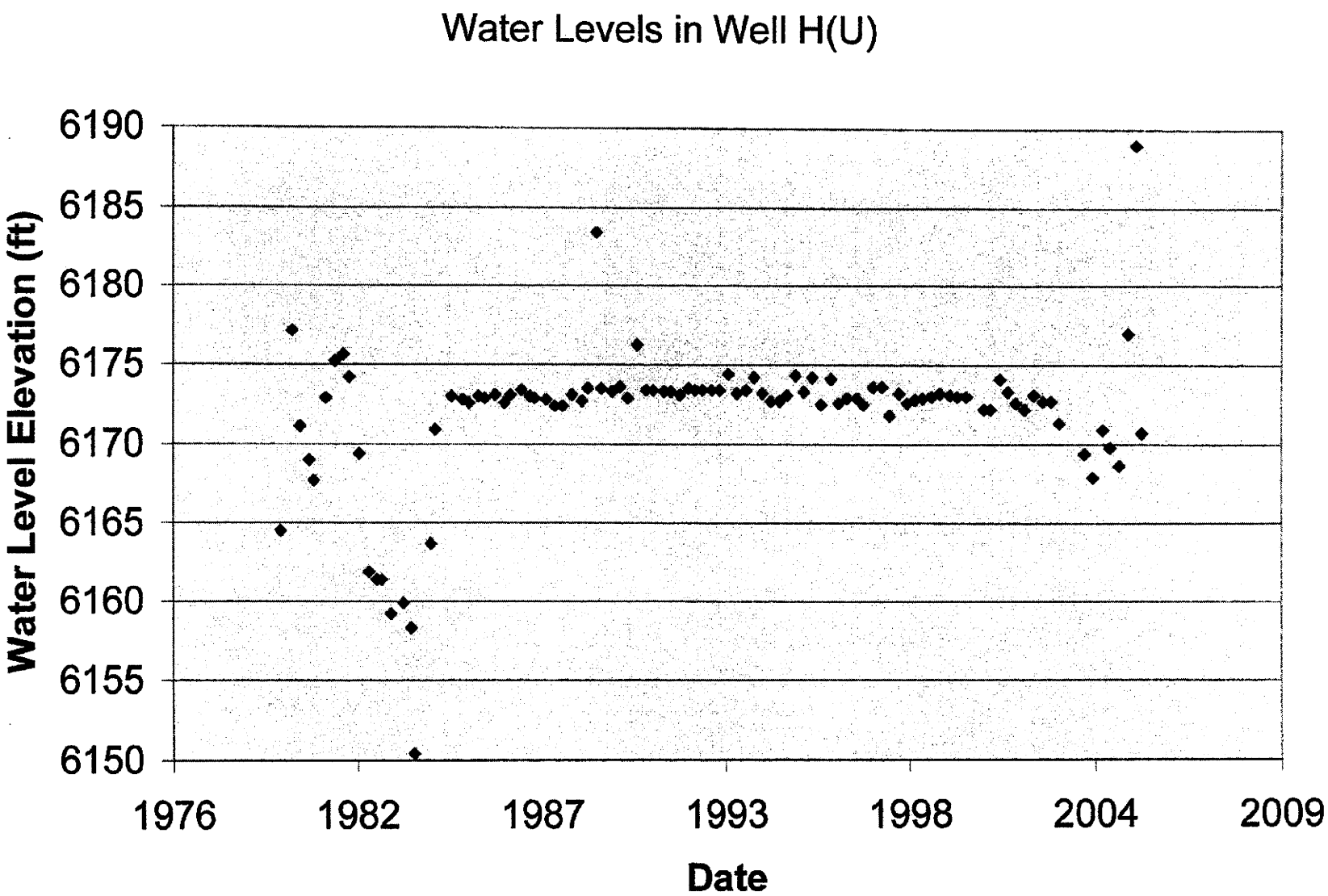
| SITE TYPE | SITE NAME | DATE | Wat. Temp Deg. C | F-pH pH units | F-D.O. mg/l | Cond(FLD) umhos/cm | Depth ft | L-pH pH un | TSS mg/l | O/G mg/l | NH3 mg/l | D-As mg/l | D-B mg/l | D-Cd mg/l | D-Ca mg/l | D-Cu mg/l | D-Fe mg/l | D-Pb mg/l | D-Mg mg/l | D-Mn mg/l | D-K mg/l | D-Se mg/l | D-Na mg/l | D-Zn mg/l | Bicarb mg/l | Acidity mg/l | Carb mg/l | Cl mg/l | Hydroxide mg/l | NO3 mg/l |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Well | Emery Town Well #1 | 11/28/2007 | 18.2 | 8.0 | | 1225 | | | 38 | <2 | 0.4 | <0.010 | | <0.001 | 33.13 | | <0.03 | <0.01 | 20.82 | 0.016 | 3.93 | <0.02 | 190.79 | | 229 | | <5 | 20 | | <0.05 |
| Well | Emery Town Well #1 | Mar-08 | 2.3 | 8.2 | | 1189 | | | | | | | | | | | | | | | | | | | | | | | | |
| Well | Emery Town Well #1 | Jun-08 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Well | Emery Town Well #1 | Sep-08 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Well | Emery Town Well #1 | Nov-08 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Well | Emery Town Well #1 | Jun-09 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Well | Emery Town Well #1 | Jul-09 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Well | Emery Town Well #1 | 6/24/2010 | 24.2 | 7.1 | | 1196 | | | | | | | | | 32.72 | | <0.03 | | 19.94 | 0.016 | 3.93 | | 205.66 | | 237 | | <5 | 17 | | |
| Well | Emery Town Well #1 | 9/23/2010 | 16.0 | 7.7 | | 936 | | | | | | | | | 8.13 | | <0.03 | | 11.53 | 0.006 | 3.16 | | 192.45 | | 142 | | 54 | 16 | | |
| Well | Emery Town Well #1 | 12/29/2010 | 19.7 | 8.34 | | 1317 | | | | | | | | | 31.93 | | <0.03 | | 18.34 | 0.023 | 3.75 | | 199.97 | | 230 | | <5 | 17 | | |
| Well | Emery Town Well #2 | 11/28/2007 | | | | | | 85 | | | | | | | | | | | | | | | | | | | | | | |
| Well | Emery Town Well #2 | Mar-08 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Well | Emery Town Well #2 | Jun-08 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Well | Emery Town Well #2 | Sep-08 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Well | Emery Town Well #2 | Nov-08 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Well | Emery Town Well #2 | Jun-09 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Well | Emery Town Well #2 | Jul-09 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Well | Emery Town Well #2 | 6/24/2010 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Well | Emery Town Well #2 | 9/23/2010 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Well | Emery Town Well #2 | 12/29/2010 | | | | | 228.15 | | | | | | | | | | | | | | | | | | | | | | | |

Notes:
1. Carbonate concentration reported for 9/23/2010 sample is questionable, since carbonate is normally present only at a pH of 8.5 or greater.
2. Water level reported for 11/28/2007 is questionable, since the air line was later discovered to be faulty.
3. The pump was pulled from Well #2 on 12/29/2010. Water level measurements were collected after that date using an electronic probe.
4. Water level data measured from the top of casing.

**Emery Town well data**
Consolidation Coal Company - Emery Mine

| SITE TYPE | SITE NAME | DATE | NO2 mg/l | O-PO4 mg/l | SO4 mg/l | T-P mg/l | T-Alk mg/l | T-Hardns mg/l | L-Sp. Cond umhos/cm | TDS mg/l | Set Solids ml/l | D-Al mg/l | D-Mb mg/l | T-Cats meq/l | T-Anis meq/l | T-Fe mg/l | T-Mn mg/l | T-Mg mg/l | COMMENTS |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Well | Emery Town Well #1 | 11/28/2007 | | <0.05 | 357 | | 229 | 168 | | 812 | | | | | | | | | |
| Well | Emery Town Well #1 | Mar-08 | | | | | | | | | | | | | | | | | |
| Well | Emery Town Well #1 | Jun-08 | | | | | | | | | | | | | | | | | Discharge pipe under water in canal |
| Well | Emery Town Well #1 | Sep-08 | | | | | | | | | | | | | | | | | Discharge pipe under water in canal |
| Well | Emery Town Well #1 | Nov-08 | | | | | | | | | | | | | | | | | Discharge pipe under ice in canal |
| Well | Emery Town Well #1 | Jun-09 | | | | | | | | | | | | | | | | | Discharge pipe under water in canal |
| Well | Emery Town Well #1 | Jul-09 | | | | | | | | | | | | | | | | | Discharge pipe under water in canal |
| Well | Emery Town Well #1 | 6/24/2010 | | | 329 | | 237 | 164 | | 784 | | | | | | | | | |
| Well | Emery Town Well #1 | 9/23/2010 | | | 270 | | 195 | 68 | | 632 | | | | | | | | | |
| Well | Emery Town Well #1 | 12/29/2010 | | | 360 | | 230 | 155 | | 752 | | | | | | | | | |
| Well | Emery Town Well #2 | 11/28/2007 | | | | | | | | | | | | | | | | | |
| Well | Emery Town Well #2 | Mar-08 | | | | | | | | | | | | | | | | | No data |
| Well | Emery Town Well #2 | Jun-08 | | | | | | | | | | | | | | | | | No data |
| Well | Emery Town Well #2 | Sep-08 | | | | | | | | | | | | | | | | | No data |
| Well | Emery Town Well #2 | Nov-08 | | | | | | | | | | | | | | | | | No data |
| Well | Emery Town Well #2 | Jun-09 | | | | | | | | | | | | | | | | | No data |
| Well | Emery Town Well #2 | Jul-09 | | | | | | | | | | | | | | | | | No data |
| Well | Emery Town Well #2 | 6/24/2010 | | | | | | | | | | | | | | | | | No data |
| Well | Emery Town Well #2 | 9/23/2010 | | | | | | | | | | | | | | | | | No data |
| Well | Emery Town Well #2 | 12/29/2010 | | | | | | | | | | | | | | | | | |

Notes. 1. Carbonate concentration reporte
2. Water level reported for 11/28/2(
3. The pump was pulled from Well :
4. Water level data measured from


Water Levels in Well H(U)
Water Level Elevation (ft)
6190
6185
6180
6175
6170
6165
6160
6155
6150
1976
1982
1987
1993
1998
2004
2009
Date

# 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**
**2010 Annual report**

C-1 Department of Commerce

C-2 list of officers and directors

**Appendix C-1**

Department of Commerce cert.

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 | $15.00 | 8/22/2010 | 10/21/2010 |

**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)

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 | $15.00 | Late Fee | $10.00 |
| Domestic & Foreign Non-Profit Corporations | $10.00 | Late Fee | $10.00 |
| Domestic & Foreign LLC | $15.00 | Late Fee | $10.00 |
| Domestic & Foreign LP | $15.00 | 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 | $50.00 | 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

**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 $15.00 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/serviceS. 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.**

**UTAH STATE TAX COMMISSION**
TAXPAYER SERVICES DIVISION 210 N 1950 W SALT LAKE CITY UT 84134 Website: tax.utah.gov

## Sales Tax License and/or Use Tax Certificate of Registration

CONSOLIDATION COAL CO INC
CONSOLIDATION COAL CO
HWY 10 S
EMERY UT 84522-0000

Account Number: **11721997-002-STC**

This business is registered to make taxable sales from the incorporated city of:
**Emery City**

**Outlet: 002 Issued: May 1, 1975 Valid until revoked or cancelled. Post in a noticeable place.**

This business is authorized to make taxable sales, purchase tax free for resale, collect and remit sales and use taxes in the State of Utah. The authority to engage in business is subject to city and/or county business licensing laws and other rules and regulations. This license may be revoked for violations or failure to comply with these laws, rules and regulations. If this business moves, closes or is sold, you must contact the Tax Commission immediately by calling 801-297-2200 or toll free 1-800-662-4335 and return this license to the Tax Commission for cancellation. This license is NOT transferable.

ABOVE IS YOUR

# SALES TAX LICENSE

TEAR OFF AT PERFORATION AND POST IN A NOTICEABLE PLACE.
Keep this portion for your records.

Account Number: **11721997-002-STC** <<< Use this number for all correspondence or contact with the Utah State Tax Commission.

Jurisdiction: **Emery City**
Issued: **May 1, 1975**

TAX EXPRESS
taxexpress.utah.gov

Your Personal Identification Number (PIN) is: **872707**
You are required to register your account at **taxexpress.utah.gov** for electronic filing, paying and managing your account. Your PIN is needed to register.

## NOTICE OF LIABILITY

If you are purchasing a business, have the former business owner provide you a notice/receipt from the Tax Commission stating the sales and use taxes are paid in full. If the notice/receipt is not provided, Utah law requires you keep enough of the purchase money to pay the unpaid taxes. You may be held personally liable for any taxes not paid by the former owner.

## TAX FREE PURCHASES

Merchandise purchased tax free, but used or consumed by your company, must be reported on your sales and use tax return. You must pay sales and use tax on goods that you or your company consume.

**Appendix C-2**

List of Officers and Directors

# CONSOLIDATION COAL COMPANY

**List of Officers and Directors**

**Officers:**

| | |
|---|---|
| J. Brett Harvey<br>Chairman & CEO | 1000 CONSOL Energy Drive, Canonsburg, PA 15317 |
| Bart J. Hyita<br>President & COO | 1000 CONSOL Energy Drive, Canonsburg, PA 15317 |
| Louis Barletta Jr.<br>Vice President | 1000 CONSOL Energy Drive, Canonsburg, PA 15317 |
| James A. Brock<br>Vice President | 1 Bridge Street, Monongah, WV 26554 |
| Robert P. King<br>Vice President | 1000 CONSOL Energy Drive, Canonsburg, PA 15317 |
| David W. Kelly<br>Vice President | RD 1 Box 67A, Glen Easton, PA 26039 |
| Alexander J. Reyes<br>Secretary | 1000 CONSOL Energy Drive, Canonsburg, PA 15317 |
| Lorraine L Ritter<br>Controller & Asst. Sec. | 1000 CONSOL Energy Drive, Canonsburg, PA 15317 |
| Daniel S. Cangilla<br>Treasurer | 1000 CONSOL Energy Drive, Canonsburg, PA 15317 |

**Directors**:

| | |
|---|---|
| J. Brett Harvey | 1000 CONSOL Energy Drive, Canonsburg, PA 15317 |
| Nicholas J. DeIuliis | 1000 CONSOL Energy Drive, Canonsburg, PA 15317 |
| William J. Lyons | 1000 CONSOL Energy Drive, Canonsburg, PA 15317 |
| Robert F. Pusateri | 1000 CONSOL Energy Drive, Canonsburg, PA 15317 |
| P. Jerome Richey | 1000 CONSOL Energy Drive, Canonsburg, PA 15317 |
| Bart J. Hyita | 1000 CONSOL Energy Drive, Canonsburg, PA 15317 |
| Robert P. King | 1000 CONSOL Energy Drive, Canonsburg, PA 15317 |

# APPENDIX D

## Mine Maps

As required under R645-302-525-270

**CONTENTS**
**2010 Annual report**

***D-1 2010 Annual MSHA map***

**Appendix D-1**

2010 Annual MSHA Map

# APPENDIX E

## Other Information

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

**CONTENTS**