

CONSOL Energy Inc.
CNX Center
1000 CONSOL Energy Drive
Canonsburg, PA 15317-6506

September 26, 2008

**NATIONAL MINE HEALTH & SAFETY ACADEMY
OFFICE OF THE SUPERINTENDENT**



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MINE SAFETY & HEALTH ADMINISTRATION
1301 AIRPORT RD
BEAVER WV 25813

DATE RECEIVED: 10/16/08

Re: Drug and Alcohol Testing

To Whom It May Concern:

In June of 2008 CONSOL Energy Inc. implemented a company-wide drug and alcohol testing program for all employees. CONSOL is committed to maintaining a safe, healthful and productive work environment that is free from the adverse effects of drugs and alcohol. The importance of work performed at every location is such that the work environment at every location must be free from the adverse effects of drugs and alcohol. Because of the integral role contractors and sub-contractors play at our company locations, CONSOL feels strongly that its contractors and sub-contractors share CONSOL's commitment to a drug-free and alcohol-free workplace. This can be accomplished only by establishing drug and alcohol testing programs that maintain such an environment.

Beginning in January 2009, CONSOL Energy Inc. (and its affiliates) shall require all of its contractors and sub-contractors to have a drug and alcohol testing program that shall include at a minimum:

1. Pre-employment Screening of employees that will or may be working for CONSOL Energy Inc. (or any of its affiliates)
2. Reasonable Cause Testing for any contractor employees who may have reported for work after having used drugs or alcohol or while impaired by drugs or alcohol. CONSOL also retains the right to have a suspected drug or alcohol impaired employee removed from any work site or work performed and banned from returning.
3. Post-Accident Testing if an accident results in injury to an employee or another individual that requires off-site medical care or results in a significant disruption of operations at a facility.
4. Random testing performed annually on at least 25% of employees that will or may work for CONSOL Energy, Inc. (or any of its affiliates).

The types of substances that are to be tested for shall include the following:

1. Alcohol
2. Amphetamine or Methamphetamine
3. Cannabinoids
4. Benzoyllecgonine
5. Opiates
6. Phencyclidine
7. Barbiturates
8. Benzodiazepines

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9. Methadone
10. Methaqualone
11. Expanded Opiates / Synthetic Narcotics
12. Propoxyphene

(For the drugs listed above, those that are required to be tested under Department of Transportation guidelines must be tested using the published DOT threshold levels.)

The drug and alcohol testing program must address the abuse or inappropriate use of prescription drugs.

A contractor who has an employee test positive under the drug and alcohol testing program will not use that individual for any work or service provided for CONSOL Energy Inc. (or any of its affiliates). If an employee refuses testing, it shall be treated as a positive test and the contractor will not re-employ that individual for any work or service provided for CONSOL Energy Inc. (or any of its affiliates).

Testing shall be performed by a certified laboratory selected by the contractor.

A contractor may fulfill the requirements of this program independently or by joining a consortium that performs testing in accordance with these requirements.

Current contractors must certify in writing, by signing and returning the attached "Mandatory Drug and Alcohol Testing Compliance Form," by January 1, 2009 that:

1. **An independent program or consortium exists that complies with the CONSOL Energy Inc. Drug and Alcohol Testing requirements as described above;**
2. **That all employees working for CONSOL Energy, Inc. or its affiliates are subject to testing;**
3. **The number and percentage of employees to be tested under this program;**
4. **The contractor will make available to CONSOL Energy Inc., upon request, certified laboratory results that proves the existence of a drug and alcohol testing program that complies with the CONSOL Energy Inc. requirements.**
5. **The contractor will prevent any employee who fails testing under the program from working for CONSOL Energy Inc. or any of its affiliates;**
6. **CONSOL has the right to audit records to determine compliance with the CONSOL Energy Inc. Drug and Alcohol testing requirements.**

Please return this letter certifying compliance to:

**CONSOL Energy Inc.
Consol Center
1000 CONSOL Energy Drive
Canonsburg, PA 15317**

ATTENTION: Corporate Safety Department – CONTRACTOR DRUG & ALCOHOL TESTING COMPLIANCE

Thereafter, starting in 2010, an authorized official of the contractor will be required to certify by the end of the first quarter of each calendar year and submit a report that indicates compliance with all elements of the CONSOL Energy Inc. Drug and Alcohol Testing requirements.

This annual compliance certification report is to be sent to:

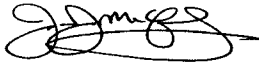
CONSOL Energy Inc.
Consol Center
1000 CONSOL Energy Drive
Canonsburg, PA 15317

ATTENTION: Corporate Safety Department – ANNUAL CONTRACTOR DRUG & ALCOHOL TESTING COMPLIANCE CERTIFICATION

Failure to comply with this policy will result in your removal from CONSOL Energy Inc.'s approved contractor list.

Please contact Todd Shumaker at 724-485-4349 or ToddShumaker@consolenergy.com with any questions.

Very truly yours,



James McCaffrey
Senior Vice President, Material & Supply Chain / Land

* CONSOL affiliated companies include:

AMVEST Coal & Rail, L.L.C.
AMVEST Gas Resources, Inc.
AMVEST Oil & Gas, Inc.
Cargo Dockers Limited
CNX Gas Company LLC
CNX Marine Terminals Inc.
CONSOL Docks Inc
CONSOL Energy Sales Company
CONSOL of Canada Inc.
CONSOL of Wyoming LLC
Eighty-Four Mining Company
Helvetia Coal Company
Laurel Run Mining Company
McElroy Coal Company
Nicholas-Clay Land & Mineral, Inc.
Rochester & Pittsburgh Coal Company
TEAGLE Company, L.L.C.
Terry Eagle Coal Company, L.L.C.
Vaughn Railroad Company
Wolfpen Knob Development Company

AMVEST Coal Sales, Inc.
AMVEST Mineral Services, Inc.
AMVEST West Virginia Coal, L.L.C.
Central Ohio Coal Company
CNX Gas Corporation
Conrhein Coal Company
CONSOL Energy Canada Ltd
CONSOL Financial Inc.
CONSOL of Central Pennsylvania LLC
Consol Pennsylvania Coal Company LLC
Fola Coal Company, L.L.C.
Island Creek Coal Company
Leatherwood, Inc.
Mon River Towing, Inc.
Peters Creek Mineral Services, Inc.
Southern Ohio Coal Company
TECPART Corporation
Terry Eagle Limited Partnership
Western Allegheny Energy, LLC

AMVEST Corporation
AMVEST Minerals Company, L.L.C.
Braxton-Clay Land & Mineral, Inc.
CNX Funding Corporation
CNX Land Resources Inc.
Conrhein Coal Partnership
CONSOL Energy Inc.
CONSOL Godefroid Europe S. A.
CONSOL of Kentucky Inc.
Consolidation Coal Company
Glamorgan Coal Company, L.L.C.
Keystone Coal Mining Corporation
Little Eagle Coal Company, L.L.C.
MTB Inc.
Reserve Coal Properties Company
Southern West Virginia Energy, LLC
Terra Firma Company
Twin Rivers Towing Company
Windsor Coal Company



CONSOL Energy Inc.

Mandatory Drug and Alcohol Testing Compliance Form

I understand the terms and conditions of the CONSOL Energy Inc. Drug and Alcohol Testing requirements as set forth in the attached letter dated September 10, 2008. I understand that compliance with the CONSOL Energy Inc. Drug and Alcohol Testing Program outlined in this letter is a condition of engagement with CONSOL Energy Inc. or its affiliates, and I further understand CONSOL Energy Inc. has the right to audit my Drug and Alcohol Testing Program records at any time to determine compliance with the CONSOL Energy Inc., Drug and Alcohol Testing requirements.

I attest that we have or will have by January 1, 2009 a program to comply with the CONSOL Energy Inc. Drug and Alcohol Testing Program.

Company Name: _____

Authorized Signature _____

Printed Name: _____

RETURN BY JANUARY 1, 2009:

**CONSOL Energy Inc.
Consol Center
1000 CONSOL Energy Drive
Canonsburg, PA 15317**

**ATTENTION: Corporate Safety Department – CONTRACTOR DRUG & ALCOHOL TESTING
COMPLIANCE**