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C/O 15/007 Incoming
CC: Karl

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State of Utah

JON M. HUNTSMAN, JR.
Governor

GARY HERBERT
Lieutenant Governor

Department of
Environmental Quality

Richard W. Sprott
Executive Director

DIVISION OF WATER QUALITY
Walter L. Baker, P.E.
Director

September 30, 2008

Mr. Timothy D. Kirschbaum, Environmental Engineer
Consol Energy-Hidden Valley Mine Site
P.O. Box 566
Sesser, IL 62884

Subject: Compliance Evaluation Inspection – UPDES Permit No. UTG040026.

Dear Mr. Kirschbaum:

On September 24, 2008 I conducted an inspection while already in the area in regards to the proposed Hidden Valley Mine facility in Emery County, Utah and UPDES Permit No. UTG040026. Specifically I observed the proposed facility and outfall locations, as well as the receiving waters of Ivie Creek. No deficiencies were observed and no response is required at this time, however please pay particular attention to the "REQUIREMENTS & RECOMMENDATIONS" section of the narrative report as these items will be reviewed during the next DWQ inspection.

Thank you for your time on the interview portion of the inspection. As we discussed, please keep our offices informed of the proposed drilling activities scheduled for 2009. Enclosed is a copy of the inspection reports for your records. If you have any questions, please contact me at (801) 538-6779 or by e-mail at jstudenka@utah.gov.

Sincerely,

Jeff Studenka, Environmental Scientist
UPDES IES Section

Enclosures

cc (w/encl): Jennifer Meints, EPA Region VIII
Claron Bjork, SE District Health Department
Dave Ariotti, SE District Engineer
Daron Haddock, Division of Oil Gas & Mines

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United States Environmental Protection Agency
Washington, D.C. 20460

Water Compliance Inspection Report

Section A: National Data System Coding (i.e., ICIS)

Transaction Code N	NPDES U T G 0 4 0 0 2 6	yr/mo/day 0 8 0 9 2 4	Inspection Type C	Inspector S	Fac. Type 2
21	21	12	18	19	20
Remarks					
Inspection Work Days 0 0 2	Facility Self-Monitoring Evaluation Rating 4	BI N	QA N	Reserved	
67	69	70	71	72	73 74 75 80

Section B: Facility Data

Name and Location of Facility Inspected (For industrial users discharging to POTW, also include POTW name and NPDES permit number) Consolidation Coal Company's Hidden Valley Mine Site East of S.R.10, 4 miles north of I-70 T 23 S, R 6 E, W 1/2 Sec. 17 Emery County, UT 84522	Entry Time/ Date 11:30 am / 9-24-2008	Permit Effective Date 5-1-2008
	Exit Time/ Date 12:00 pm / 9-24-2008	Permit Expiration Date 4-30-2013
Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s) Tim Kirschbaum, Environmental Engineer (phone interview portion) Consol Energy, PO Box 566 Sesser, IL 62884 (618) 625-6847	Other Facility Data (e.g., SIC NAICS, and other descriptive information) NAICS 212112, SIC 1221, Bituminous Underground Coal Mine (Facility not constructed yet)	
Name, Address of Responsible Official/Title/Phone and Fax Number Jonathan M. Pachter, Gen. Mgr., Env. Services (412) 831-4679 Consolidation Coal Company 1800 Washington Road Pittsburgh, PA 15241	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No SEE ATTACHED	

Section C: Areas Evaluated During Inspection (Check only those areas evaluated)

<input checked="" type="checkbox"/> Permit	<input checked="" type="checkbox"/> Self Monitoring Program	<input type="checkbox"/> Pretreatment	<input type="checkbox"/> MS4
<input checked="" type="checkbox"/> Records/Reports	<input type="checkbox"/> Compliance Schedule	<input type="checkbox"/> Pollution Prevention	
<input checked="" type="checkbox"/> Facility Site Review	<input type="checkbox"/> Laboratory	<input type="checkbox"/> Storm Water	
<input checked="" type="checkbox"/> Effluent/Receiving Waters	<input type="checkbox"/> Operations & Maintenance	<input type="checkbox"/> Combined Sewer Overflow	
<input type="checkbox"/> Flow Measurement	<input type="checkbox"/> Sludge Handling/Disposal	<input type="checkbox"/> Sanitary Sewer Overflow	

Section D: Summary of Findings/Comments

(Attach additional sheets of narrative and checklists, including Single Event Violation codes, as necessary)

SEV Codes	SEV Description	<u>NO DEFICIENCIES OBSERVED</u>

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Name(s) and Signature(s) of Inspector(s) Jeff Studenka Environmental Scientist	Agency/Office/Phone and Fax Number(s) Utah Division of Water Quality (801) 538-6779	Date 9-29-08
Name and Signature of Management Q A Reviewer Mike Herkimer, Manager UPDES IESs Section	Agency/Office/Phone and Fax Number(s) Utah Division of Water Quality (801) 538-6058	Date 9/30/08



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Name and Signature of Management QA Reviewer Mike Herkimer, Manager UPDES IESS Section 	Agency/Office/Phone and Fax Number(s) Utah Division of Water Quality (801) 538-6058	Date 9/30/08

INSPECTION PROTOCOL

UPDES Permit #: UTG040026 – Hidden Valley Mine Site
Inspection Type: Compliance Evaluation Inspection
Inspection Date: September 24, 2008

Jeff Studenka of the Division of Water Quality (DWQ) visited the Consolidation Coal Company's Hidden Valley Mine Site (Consol) to perform an inspection of the proposed mining operations site in Emery County, UT. Because the proposed facility is not yet constructed and without personnel on site, the interview portion of the inspection was conducted by telephone with Tim Kirschbaum, Environmental Engineer for Consol. The purpose for the site visit was explained and a compliance evaluation inspection was performed since the permit coverage was recently renewed. The U.S. EPA Region 8 NPDES Inspection Checklist was completed following a tour of the facility.

FACILITY DESCRIPTION

Location: East of S.R.10, 4 miles north of I-70
T 23 S, R 6 E, W ½ Sec. 17
Emery County, UT 84522

Coordinates: Proposed Outfall 001 – 38° 48' 57" latitude, -111° 16' 19" longitude
Proposed Outfall 002 – 38° 49' 14" latitude, -111° 16' 43" longitude
Temporary Outfalls 003-011 are from nearby drilling water discharges.

Average Flow: None to date and none expected from outfalls 001 & 002

Receiving water: Ivie Creek

Process (Proposed): Underground coal mining operation. Water from the mine is not expected to be encountered and/or discharged. Surface water from the proposed two disturbed areas will be conveyed to above ground settling ponds, each with a discharge point (Outfalls 001 & 002) to Ivie Creek drainage. Discharge from these two outfalls is not expected, excepting major storm events.

INSPECTION SUMMARY

There were no deficiencies noted during the previous inspection for follow up. This inspection was limited to viewing the proposed areas where the surface water collection systems and drilling operations are yet to be implemented. The proposed outfall locations were observed as well as the receiving waters of Ivie Creek, which was running clear and slow at the time of the inspection. There has been very little discharge to evaluate, but a DMR file review indicates that the monthly reports are being submitted regularly and on time. Permittee is aware of the sampling requirements upon future discharges and will likely use SGS Labs of Huntington, Utah

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