0012

State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

INSPECTION REPORT

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

Partial:___ Complete: X Exploration:___
Inspection Date & Time: 2/16/95/7:00am-2:00pm
Date of Last Inspection: 1/18/95

Mine Name: Emery Deep Mine County: Emery Permit Number: **ACT/015/015**
Permittee and/or Operator's Name: Consolidation Coal Company
Business Address: P. O. Box 527, Emery, Utah 84522
Type of Mining Activity: Underground XXX Surface___ Prep. Plant___ Other___
Company Official(s): Steve Behling
State Officials(s): Peter Hess Federal Official(s):
Weather Conditions: Sunny/Cool/Mid 30's
Existing Acreage: Permitted- 5180 Disturbed- 40 Regraded- 2.7 Seeded- 2.7 Bonded- 207
Increased/Decreased: Permitted-___ Disturbed-___ Regraded-___ Seeded-___ Bonded-___
Status: __Exploration/ XXXActive/__Inactive/__Temporary Cessation/__Bond Forfeiture
Reclamation (__Phase I/__Phase II/__Final Bond Release/__Liability_____Year)

REVIEW OF PERMIT, PERFORMANCE STANDARDS & PERMIT CONDITION REQUIREMENTS

Instructions

1. Substantiate the elements on this inspection by checking the appropriate performance standard.
   a. For complete inspections provide narrative justification for any elements not fully inspected unless element is not appropriate to the site, in which case check N/A.
   b. For partial inspections check only the elements evaluated.
2. Document any noncompliance situation by referencing the NOV issued at the appropriate performance standard listed below.
3. Reference any narratives written in conjunction with this inspection at the appropriate performance standard listed below.
4. Provide a brief status report for all pending enforcement actions, permit conditions, Division Orders, and amendments.

	EVALUATED	N/A	COMMENTS	NOV/ENF
1. PERMITS, CHANGE, TRANSFER, RENEWAL, SALE	[X]	[ ]	[X]	[ ]
2. SIGNS AND MARKERS	[X]	[ ]	[ ]	[ ]
3. TOPSOIL	[X]	[ ]	[ ]	[ ]
4. HYDROLOGIC BALANCE:				
a. DIVERSIONS	[X]	[ ]	[ ]	[ ]
b. SEDIMENT PONDS AND IMPOUNDMENTS	[X]	[ ]	[X]	[ ]
c. OTHER SEDIMENT CONTROL MEASURES	[X]	[ ]	[ ]	[ ]
d. WATER MONITORING	[X]	[ ]	[X]	[ ]
e. EFFLUENT LIMITATIONS	[X]	[ ]	[ ]	[ ]
5. EXPLOSIVES	[X]	[X]	[ ]	[ ]
6. DISPOSAL OF EXCESS SPOIL/FILLS/BENCHES	[ ]	[X]	[ ]	[ ]
7. COAL MINE WASTE/REFUSE PILES/IMPOUNDMENTS	[X]	[ ]	[X]	[ ]
8. NONCOAL WASTE	[X]	[ ]	[ ]	[ ]
9. PROTECTION OF FISH, WILDLIFE AND RELATED ENVIRONMENTAL VALUES	[X]	[ ]	[ ]	[ ]
10. SLIDES AND OTHER DAMAGE	[ ]	[X]	[ ]	[ ]
11. CONTEMPORANEOUS RECLAMATION	[ ]	[X]	[ ]	[ ]
12. BACKFILLING AND GRADING	[ ]	[X]	[ ]	[ ]
13. REVEGETATION	[ ]	[X]	[ ]	[ ]
14. SUBSIDENCE CONTROL	[X]	[ ]	[ ]	[ ]
15. CESSATION OF OPERATIONS	[ ]	[X]	[ ]	[ ]
16. ROADS:				
a. CONSTRUCTION/MAINTENANCE/SURFACING	[X]	[ ]	[ ]	[ ]
b. DRAINAGE CONTROLS	[X]	[ ]	[ ]	[ ]
17. OTHER TRANSPORTATION FACILITIES	[ ]	[X]	[ ]	[ ]
18. SUPPORT FACILITIES/UTILITY INSTALLATIONS	[X]	[ ]	[ ]	[ ]
19. AVS CHECK (4th Quarter-April, May, June)_____(date)	[ ]	[X]	[ ]	[ ]
20. AIR QUALITY PERMIT	[X]	[ ]	[ ]	[ ]
21. BONDING & INSURANCE	[X]	[ ]	[ ]	[ ]

PERMIT NUMBER: **ACT/015/015** DATE OF INSPECTION: 2/16/95

(Comments are Numbered to Correspond with Topics Listed Above)

1. PERMITS, CHANGE, TRANSFER, RENEWAL, SALE

The current permit expires January 7, 1996. Mr. Behling indicated to me that it was the desire of the St. Louis engineering staff to wait until the next permit submittal to make the following changes;

1) change the wording in the text of the MRP to coincide with the surface drainage map which allows the permittee to discharge surface runoff into the main mine portal. The permittee received permission from the DOGM in 1986 to do this, but a glitch in the wording within the MRP contradicted what was indicated on the surface drainage map. This was picked up during the October, '94 OSM oversight.

2) change the discharge point for the decant pipe from Pond #3 so that it dumps directly into Quitchupah Creek at the bridge crossing rather than from the decant pipe cleanout location to the Creek. Mr. Behling indicated that St. Louis is not certain what they want to do to resolve this issue at this time but that plans should be submitted to the DOGM sometime in September, 1995.

I indicated to Mr. Behling that the submittal of these changes with the new permit would be acceptable.

4b. HYDROLOGIC BALANCE: SEDIMENT PONDS AND IMPOUNDMENTS

The deep well pump which pulls water out of the mine for discharge through Pond 006 has been down since January 9, 1995. As this water is mixed with Pond 001 water so that both discharges meet the UPDES parameter for TDS, the deep well pump for 001 has been shut off. Neither pond has discharged for some time; their discharge elevations were two to three feet below their respective spillways. Hence, no water samples have been taken since 1/3/95.

The annual impoundment certifications for ponds 1, 3, 4, 5, 6, and 8 were conducted on December 13, 1994. Pond 2 required cleaning (the result of 94-46-5-1) and was certified on December 23, 1995. All ponds were certified by Bruce T. S. Ware, Registered Land Surveyor.

4d. WATER MONITORING

The 4th quarter water monitoring report for the Emery Mine was submitted to the DOGM on January 26, 1995.

The discharge monitoring reports for the months of October-December, 1994 for UPDES discharge points 001 and 006 were reviewed. October's reports presented no problem. However, the November and December reports showed unusually high concentrations of oil and grease. Emery Mine's UPDES Permit #UT0022616 has an oil and grease limit of 10 mg/l, but they are only required to sample for oil and grease when a sheen is visible on the pond's surface, or when some other reason to suspect that oil is present exists. This was not known by Mr. Behling when he pulled these samples. Correspondence from the permittee's water analysis lab, ACZ Laboratories of Steamboat Springs, Colorado, indicates that ACZ used some contaminated freon bottles when performing the oil and grease analysis. Mr. Scott Adkins, of CONSOL, St. Louis has reported the incidences to Mr. Steve McNeil, Division of Water Quality. As a result of these errors, Mr. Behling informed me that he has set up a new water analysis contract with Commercial Testing and Engineering in Huntington, Utah.

7. COAL MINE WASTE/REFUSE PILES/IMPOUNDMENTS

The 4th quarter refuse pile inspection was conducted on December 14, 1994 by Mr. Behling and certified by Mr. Ervin Anderson, P.E. on 12/21/94.

The inspection report indicated no changes in conditions and no problems evident.

Note: This inspection report does not constitute an affidavit of compliance with the regulatory program of the Division of Oil, Gas , and Mining.

Copy of this Report:

Mailed to: Steven Behling (Consol Coal) Donna Grifin (OSM)
Given to: Joe Helfrich (DOGM) Filed to: Price Field Office
Date: February 28, 1995

Inspector's Signature: Peter Hess #46
Peter Hess