



0008

# U. S. DEPT. OF THE INTERIOR

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

## Mine-Site Evaluation Inspection Report



# 10/15/015  
Copy Inspection file #5

1. Permittee/Person <b>CONSOLIDATION COAL CO.</b>		9. Permit Number <b>UT-015-015</b>		10. Type a. Permit <input type="checkbox"/> b. RA <input type="checkbox"/> <b>PP</b> <b>S</b>	
2. Address <b>12755 OLIVE BLVD</b>		11. Inspection Date <b>04/01/1997</b> <small>MM - DD - YY</small>		12. Inspection Type <b>SCX</b>	
3. City <b>SAINT LOUIS</b>		4. State <b>MO</b>		13. Joint Inspection <b>Y</b> <small>Y/N</small>	
5. Zip Code <b>63141</b>		6. Phone Number <b>314-275-2414</b>		14. Permit Status <b>A</b>	
7. Operator if Different than Permittee		15. Site Status <b>TC</b>		16. Facility Type <b>B</b>	
8. Mine Name <b>EMERY DEEP</b>		17. OSM Office # <b>140</b>		18. RSI #	
		19. Land Code <b>F</b>		20. M.S.H.A. ID # <b>42-00079</b>	
		21. State Code <b>49</b>		22. County Code <b>015</b>	
		23. AVS Permittee Entity ID Number <b>107373</b>		23b. State Office	

### 24. Performance Standard Categories

Codes: 1=Compliance, 2=Noncompliance, 3=Not Planned, 4=Not Started, 5=Noncompliance Identified Elsewhere

#### A. Administrative

- 1 Mining within Valid Permit
- 1 Mining within Bonded Area
- 1 Terms & Conditions of Permit
- 1 Liability Insurance
- 1 Ownership and Control
- 1 Temporary Cessation

#### B. Hydrologic Balance

- 1 Drainage Control
- 1 Inspections & Certifications
- 1 Siltation Structures
- 1 Discharge Structures
- 1 Diversions
- 1 Effluent Limits
- 1 Ground Water Monitoring
- 1 Surface Water Monitoring
- 1 Drainage -- Acid-Toxic Materials
- 1 Impoundments
- 1 Stream Buffer Zones

#### C. Topsoil & Subsoil

- 1 Removal
- 1 Substitute Materials
- 1 Storage and Protection
- 1 Redistribution

#### D. Backfilling & Grading

- 4 Exposed Openings
- 4 Contemporaneous Reclamation
- 4 Approximate Original Contour
- 4 Highwall Elimination
- 4 Steep Slopes (includes downslope)
- 4 Handling of Acid & Toxic Materials
- 1 Stabilization (rills and gullies)

#### E. Excess Spoil Disposal

- 3 Placement
- 3 Drainage Control
- 3 Surface Stabilization
- 3 Inspections & Certifications

#### F. Coal Mine Waste (Refuse Piles/Impoundments)

- 1 Drainage Control
- 1 Surface Stabilization
- 1 Placement
- 1 Inspections and Certifications
- 3 Impounding Structures

#### G. Use of Explosives

- 3 Blaster Certification
- 3 Distance Prohibitions
- 3 Blast Survey/Schedule
- 3 Warnings & Records
- 3 Control of Adverse Effects

#### H. 1 Subsidence Control Plan

#### I. Roads

- 1 Road Construction
- 1 Certification
- 1 Drainage
- 1 Surfacing and Maintenance
- 1 Reclamation

#### J. Signs & Markers

- 1 Signs
- 1 Markers

#### K. 1 Distance Prohibitions

#### L. Revegetation

- 1 Vegetative Cover
- 1 Timing

#### M. 1 Postmining Land Use

#### N. Other

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

### 25. Inspection Frequency

a. Date of Last State Complete Inspection **02/18/1997**

Frequency for previous 4 Calendar Qtrs.

b. Number of required complete inspections	<b>4</b>	Number of complete inspections conducted	<b>3</b>
c. Number of required partial inspections	<b>0</b>	Number of partial inspections conducted	<b>0</b>

### 26. Inspection Hours

<b>2.0</b>	a. Permit Review
<b>4.5</b>	b. Inspection Time
<b>7.0</b>	c. Travel Time
<b>3.5</b>	d. Report Writing

### 27. Bonded Acres

<b>270.0</b>	a. Total bonded
<b>0.0</b>	b. Phase I released
<b>0.0</b>	c. Phase II released
<b>0.0</b>	d. Phase III released

### 28. Acres

<b>5180.0</b>	a. Permitted
<b>40.0</b>	b. Disturbed (Estimated)

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Revised July 1, 1993

**U. S. DEPT. OF THE INTERIOR**  
**OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT**  
**Mine-Site Evaluation Inspection Report**

Permit Number UT-015-015

Inspection Date 04/01/1997

**29. Identified Violation Data.**

For inspection types C (Complete Random Sample) and SC or SP (Complete or Partial In-depth Review), list all violations present during the current Federal inspection and all violations, cited or uncited, identified in the last State complete inspection report. For any other inspection type, including Federal program inspections, list only violations observed during the current inspection or subject of current Federal follow-up actions.

B Per. Std. Category	C Abated (Y/N)	D State Action	E Reason if Uncited	F Cause	G Seriousness		I OSM Action	J OSM Action Number	K Optional
					PEO	Impact			
A. Specific State Law/Regulations Violated: _____ Description: _____									
1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A. Specific State Law/Regulations Violated: _____ Description: _____									
2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A. Specific State Law/Regulations Violated: _____ Description: _____									
3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A. Specific State Law/Regulations Violated: _____ Description: _____									
4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A. Specific State Law/Regulations Violated: _____ Description: _____									
5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A. Specific State Law/Regulations Violated: _____ Description: _____									
6	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A. Specific State Law/Regulations Violated: _____ Description: _____									
7	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- |   |   |  |  |
|---|---|--|--|
| <p><b>D. State Action</b></p> <ol style="list-style-type: none"> <li>1) Existed on LSCI, Cited</li> <li>2) Existed on LSCI, Not Cited</li> <li>3) Cited Prior to LSCI, Abatement Pending</li> <li>4) Occurred Since LSCI</li> <li>5) N/A Federal Program</li> <li>6) N/A Permit Defect</li> </ol> <p><b>H. Impact</b></p> <p><b>Damage Remains Within the Permit Area</b></p> <ol style="list-style-type: none"> <li>1) None or Minor</li> <li>2) Moderate</li> <li>3) Considerable</li> </ol> <p><b>Damage Extends Beyond the Permit Area</b></p> <ol style="list-style-type: none"> <li>4) None or Minor</li> <li>5) Moderate</li> <li>6) Considerable</li> </ol> <p><b>Obstruction to Enforcement</b></p> <ol style="list-style-type: none"> <li>7) None or Minor</li> <li>8) Moderate</li> <li>9) Considerable</li> </ol> | <p><b>E. State's Reason for not Citing Violation</b></p> <ol style="list-style-type: none"> <li>1) Not a Violation</li> <li>2) Precluded by State Policy</li> <li>3) Not Included under State Program</li> <li>4) Warning Given in Lieu of a Citation</li> <li>5) Violation Not Recognized</li> <li>6) Practice Allowed under Approved Permit</li> <li>7) Too Minor to Cite</li> <li>8) Working with Operator to Correct</li> <li>9) Other _____</li> </ol> | <p><b>F. Cause</b></p> <ol style="list-style-type: none"> <li>1) Permit Defect</li> <li>2) Unusual Weather Conditions</li> <li>3) Unofficial Waiver</li> <li>4) Operator Negligence</li> <li>5) Other _____</li> </ol> | <p><b>G. Probability of Event Occurrence</b></p> <ol style="list-style-type: none"> <li>1) None or Unlikely</li> <li>2) Likely</li> <li>3) Occurred</li> </ol> |
|---|---|--|--|
- I. OSM Action This Inspection**
- 1) Deferred to State Action
  - 2) TDN Issued
  - 3) NOV Issued
  - 4) FTA-CO Issued
  - 5) IH-CO Issued (Imminent Environmental Harm)
  - 6) ID-CO Issued (Imminent Danger to Public)
  - 7) Previously Cited by RA, Abatement Pending
  - 8) Abated during or before OSM Inspection
  - 9) Follow-up of Federal Action

**30. Signature**

*Henry P. Austin*  
 Inspector's Signature

**HENRY AUSTIN** 4/10/97  
 Inspector's Printed Name

Dated: 04/10/1997 116

31. OSM Inspector ID#

Reviewing Official: *J. Fulton*

Review Date: 4/10/97

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Revised July 1, 1993

April 10, 1997

Consolidation Coal Company ( CCC )  
P.O. Box 527  
Emery, Utah 81434

Emery Deep Mine  
Complete/joint oversight inspection  
April 1, 1997

Participants:  
Steve Behling, CCC  
Dave Darby, DOGM  
Henry Austin, OSM

I participated in a complete oversight inspection of the Emery Deep Mine with the above participants. Weather conditions were cold with light snow showers and ground conditions were dry throughout the mine. The previous Office of Surface Mining (OSM) oversight inspection of this site was conducted November 11, 1994.

We began by identifying ourselves to Mr. Behling and conducting a field inspection of the site. The permittee notified the Division of Oil, Gas, and Mining (DOGM) via letter dated July 11, 1990 that the site was in temporary cessation. The site has been idle since that written notification. The fans were shut down on August 1, 1995 according to Mr. Behling and temporary portal seals have received MSHA approval. There is a current/approved mine ventilation plan on file with MSHA. There is no additional written record concerning temporary cessation requirements and the July 11, 1990 letter could not be located during the inspection. This letter should be reviewed by DOGM and updates requested if necessary to accurately reflect the current idle conditions at the mine.

We inspected the disturbed areas of the mine including stops and observations of the following: coal stockpile area and non-coal waste storage/equipment boneyard south of Quitchupah Ck. We recommended to Mr. Behling that the non-coal waste materials be hauled from the site. The berm along Quitchupah is fully intact and functional and stream buffer zone signs are in place. The permit perimeter is clearly marked. Sed. ponds 2 and 3 were inspected with no problems noted. The portal entry areas are secured as noted above and well maintained, no problems were noted in this area or the mine yard proper.

The remaining sed. ponds were inspected with no problems noted. Pond 4 is not being utilized as it is an impoundment for the reverse osmosis water treatment system and probably will not be further utilized if the mine reopens according to Mr. Behling. The perimeter berm/ditch at the mine entrance coal stockpile area is intact and functional. Mr. Darby directed the permittee to remove sediment and coal fines from the ditch to increase runoff control capacity.

All the coal has been removed from both stockpile areas. The temporary waste rock development storage site is marked. We concluded the field inspection with a stop at mine water discharge pond # 1. The pond was discharging at 5 on the V-weir and both discharge area and pond embankment were stable. Mine water discharge pond # 6 has been discharging at approx. 730 gpm and the pump for pond # 6 runs approx. 11 to 11 1/2 hrs./day alternating with pond # 1 according to Mr. Behling. Surface landowners at the mine water pump which facilitates pond # 6 have made arrangements through CCC to utilize the pumped water in the near future. CCC has required the landowners to install a continuous flow meter at the pump location to record water usage. Topsoil and subsoil piles in this area appeared stable with intact perimeter berms. This concluded the field inspection.

We conducted an office review of the permit and various monitoring/reporting requirements which included the following: DOGM renewed the five year mining permit effective 1/17/1996 through 1/8/2001; the current surety bond is from Seaboard No. 188617 at \$3,454,443; the most recent Utah air quality permit is dated 3/2/95; the UPDES permit is effective 6/1/94 through 5/31/99; liability insurance is effective 1/1/97 through 1/1/98; the 1996 annual subsidence survey field work was completed on 10/11/96 and CCC is compiling the data to submit with this years annual report due this month; we reviewed enforcement history at the mine and I provided Mr. Darby with OSM enforcement records from 1989 to date. The NOV issued by DOGM during the 1994 OSM oversight inspection was terminated 12/27/94 as CCC reestablished the necessary sediment storage volume in pond # 2 and made the appropriate design/runoff storage demonstration for pond # 3; the annual sediment pond certification for all the ponds on site was completed 12/20/96; and both monthly DMR's to UPDES and surface/ground water monitoring requirements were current through the first quarter of 1997 as required. This conclude the inspection.

I met briefly with Mssrs. Steve Falk and Barry Grosely at the Price, UT, Bureau of Land Management ( BLM ) office. We discussed the status of the resource recovery and protection plan at the Emery Mine. Apparently CCC has applied for an amendment to their existing logical mining unit at the mine. BLM is reviewing this amendment application in light of recent action by BLM to redefine logical mining units. OSM will monitor this amendment through continuing oversight.

Please address any questions/comments concerning this report to Henry Austin at ( 303 ) 844-1466.