

0002



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

1594 West North Temple, Suite 1210
PO Box 145801
Salt Lake City, Utah 84114-5801
801-538-5340
801-359-3940 (Fax)
801-538-7223 (TDD)

Michael O. Leavitt
Governor
Lowell P. Braxton
Division Director

September 21, 1998

To: File

From: Pamela Grubaugh-Littig, Permit Supervisor *Page*

Re: Compliance Review for Section 510 (c) Findings - Midterm Review, Emery Deep Mine, Consolidation Coal Company, ACT/015/015, Folder #3, Emery County, Utah

As of the writing of this memo, there are no NOVS or COs which are not corrected or in the process of being corrected. There are no finalized Civil Penalties which are outstanding and overdue in the name of Consolidation Coal Company, although Kentucky violation are covered under a settlement agreement with Island Creek and Westmoreland. Consolidation Coal Company does not have a demonstrated pattern of willful violations, nor have they been subject to any bond forfeitures for any operation in the state of Utah.

As of this date, the OSM recommendation from the Applicant Violator System (AVS) denotes "conditional issue" for the ongoing settlement agreement with Island Creek and Westmoreland, see attached.

Applicant Evaluation

Applicant Violator System

21-Sep-1998 10:19:13

State : UT Permit No : ACT015015 Appl No : ACT015015
 Applicant : 107373(CONSOLIDATION COAL CO) Seqno : 1

SYSTEM RECOMMENDATION IS BASED ON ENTITY OFT

SYSTEM RECOMMENDATION : COND ISSUE 09/21/1998
 PREVIOUS SYSTEM RECOMMENDATION : COND ISSUE 09/21/1998

Records retrieved : 48

ST	PERMIT	RP ID	SEQ	VTYPE	VIOLNO	VIOLDATE
KY	0365003	032255	0	FORF		02/24/1983
KY	0365036	114101	0	FORF		03/08/1983
KY	2985329	078176	0	FORF		05/14/1987
KY	2985329	078176	0	STCP	053004	03/27/1986
KY	2985332	108056	0	FORF		08/19/1988

RCM_MNT(F7) PERMIT/APPL(F8) REPORTS(F9)
 PRV_SCR(F3) VIOL(F4) EVOFT(F5) VOFT(F6) CHOICES(F10)

CMD KER DDE WINSOCK Node Connected

CLR ↑

UT220 80 ONLINE 17 7

Hold

AVS Recom Maint

Applicant Violator System

21-Sep-1998 10:04:13

State : UT Permit No : ACT015015 Appl No : ACT015015
 Permittee : 107373(CONSOLIDATION COAL CO) Seqno : 1
 Applicant : 107373(CONSOLIDATION COAL CO)

SYSTEM : C (COND ISSUE) Date : 21-Sep-1998 Mode : VIEW
 Reason: 0 AML, 0 AUD, 0 CMIS, 7 FORF, 41 STATE, 0 NRSP VIOLATION(S)

OSMRE : Q (OTHER) Date : 21-Sep-1998 Mode : VIEW
 Reason: See SAM #03 AVS Recommendations - Kentucky violations are covered under settlement agreements with Island Creek and Westmoreland. The violation of Past Coal is covered under an injunction.

SRA : _ Date : 21-Sep-1998 Mode : UPDATE
 Reason: _____

SAVE(F5) DELETE(F8)
 PRV_SCR(F3) QUIT(F4) CHOICES(F10)