



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

INSPECTION REPORT

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Michael O. Leavitt
Governor
Lowell P. Braxton
Division Director

Partial:___ Complete:XXX Exploration:___
Inspection Date & Time: 4/28/99 / 8:30a.m.-3:30p.m.
Date of Last Inspection: 1/25/99

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 566, Sesser, Illinois 62884
Type of Mining Activity: UndergroundXXX Surface___ Prep. Plant___ Other___
Company Official(s): Steve Behling
State Officials(s): Bill Malencik Federal Official(s): None
Weather Conditions: Cloudy
Existing Acreage: Permitted-5180 Disturbed-247 Regraded-___ Seeded-___ Bonded-247
Increased/Decreased: Permitted-___ Disturbed-___ Regraded-___ Seeded-___ Bonded-___
Status: Exploration/XXX Active/___ 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.

Table with 5 columns: Item, EVALUATED, N/A, COMMENTS, NOV/ENF. Rows include: PERMITS, CHANGE, TRANSFER, RENEWAL, SALE; SIGNS AND MARKERS; TOPSOIL; HYDROLOGIC BALANCE; DIVERSIONS; SEDIMENT PONDS AND IMPOUNDMENTS; OTHER SEDIMENT CONTROL MEASURES; WATER MONITORING; EFFLUENT LIMITATIONS; EXPLOSIVES; DISPOSAL OF EXCESS SPOIL/FILLS/BENCHES; COAL MINE WASTE/REFUSE PILES/IMPOUNDMENTS; NONCOAL WASTE; PROTECTION OF FISH, WILDLIFE AND RELATED ENVIRONMENTAL VALUES; SLIDES AND OTHER DAMAGE; CONTEMPORANEOUS RECLAMATION; BACKFILLING AND GRADING; REVEGETATION; SUBSIDENCE CONTROL; CESSATION OF OPERATIONS; ROADS; CONSTRUCTION/MAINTENANCE/SURFACING; DRAINAGE CONTROLS; OTHER TRANSPORTATION FACILITIES; SUPPORT FACILITIES/UTILITY INSTALLATIONS; AVS CHECK (4th Quarter-April, May, June) 4/28/99 (date); AIR QUALITY PERMIT; BONDING & INSURANCE; OTHER: ANNUAL REPORT.

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PERMIT NUMBER: ACT/015/015

DATE OF INSPECTION: 4/28/99

(Comments are Numbered to Correspond with Topics Listed Above)

General Comments

The mine is currently in temporary cessation and the mine is sealed. Mine water is being pumped using submersible pumps into two mine water impoundments.

The complete inspection included a record check and field inspection. Following are highlights of that inspection.

1. PERMITS, CHANGE, TRANSFER, RENEWAL, SALE

The current MRP discussed (1) current on-the-ground facilities, and (2) proposed facilities. Further, the 1991 permit document contained stipulation #2. This stipulation stated proposed facilities referenced in the September 1990 MRP are not approved and will require specific written approval by the Division prior to construction or implementation. My copy of the new permit issued January 8, 1998 does not have this restriction. Furthermore, no stipulations are attached to my copy of the permit.

The permittee is currently responding to the mid-term deficiencies. These are being handled by the Illinois Consolidation Coal Company Office.

The item under consideration concerns whether or not proposed expansion of the mine site should be included in the current authorization. If I understand the Division's position, the expansion plans do not reflect the current Consolidation position should they elect to expand the mine.

OTHER PERMITS ON FILE AT MINE SITE

- Division Oil, Gas, and Mining Expires 1/8/2001.
- BLM ROW Grant.
- DEQ Air Quality Order.
- DEQ UPDES permit expires 5/31/99. Renewal will have to be filed.

WHISTLE BLOWING provisions of the coal rules are part of the official mine records and have been met by the permittee.

4A. HYDROLOGIC BALANCE: DIVERSIONS

Observed a representative sample of ditches, culverts, berms, and drop drains. Observed no short circuiting. Some river rock rip rap was placed when protections was required and approved in the MRP design.

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The diversions recently cleaned included the following:

- Exterior diversion on the refuse pile.
- Haul road diversion between the gate and the office.
- All diversions appeared to be functional.

4B. HYDROLOGIC BALANCE: SEDIMENT PONDS AND IMPOUNDMENTS

Observed five sediment ponds and two impoundments. None of the sediment ponds were discharging.

Fourth quarter inspections were on file covering five sediment ponds and two mine water impoundments. Observed numerous ducks on the mine water ponds. The sediment ponds were dry. All the designs on the five sediment ponds and two mine water ponds are included in the MRP. The annual impoundment report for 1998 is on file at the mine.

4D. HYDROLOGIC BALANCE: WATER MONITORING

Water monitoring has been completed for the first quarter on 4/19/99.

4E. HYDROLOGIC BALANCE: EFFLUENT LIMITATIONS

They have requested a renewal. Mr. Behling has received word that reduced sampling frequencies will be reduced. The new permit will expire on 5/31/2004.

The discharge reports were submitted to responsible agencies on 12/15/98 for the month of November on outfalls 001-008.

7. COAL MINE WASTE/REFUSE PILES/IMPOUNDMENTS

Refuse pile inspection has been completed for the first quarter on 3/16/99. Also, reports for CY 1998 will be included in the 1998 annual report that will be submitted in March.

14. SUBSIDENCE CONTROL

Reviewed the field subsidence survey results. The report for CY 1999 was prepared by Bruce Ware. This will be included in the annual report.

16A. ROADS: CONSTRUCTION/MAINTENANCE/SURFACING

The haul roads are designed, approved, and on file in the MRP. Some road ditches showed evidence of recently being regraded.

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16B. ROADS: DRAINAGE CONTROLS

The roads were in good shape and showed no evidence where runoff was uncontrolled and flowing down and over the road surface.

20. AIR QUALITY PERMIT

Air Quality Permit is on file and dated 2/2/95.

21. BONDING AND INSURANCE

The surety bond is in place for \$3,454,443.00. Mr. Western's, in his mid-term evaluation, bond amount was excessive; however, the permittee did not want to reduce it. Liability insurance mine records are complete at this time. Insurance documents on file as required under coal rules. The insurance expires 11/5/99.

22. OTHER: ANNUAL REPORT

Annual Report has been submitted to the Division.

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: Tim Kirschbaum/Steve Behling (Consol) Henry Austin (OSM)

Given to: Joe Helfrich (DOGM)

Filed to: Price Field Office

Date: April 30, 1999

Inspector's Signature: _____



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Wm. J. Malencik