



# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt  
Governor  
Kathleen Clarke  
Executive Director  
Lowell P. Braxton  
Division Director

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)

## INSPECTION REPORT

*PKL by [signature]*

Partial:      Complete: XXX Exploration:       
Inspection Date & Time: 12/12/2001 / 10:00am-2:30pm  
Date of Last Inspection: 11/17/2001

Mine Name: Emery Deep Mine County: Emery Permit Number: C/015/015  
Permittee and/or Operator's Name: Consolidation Coal Company  
Business Address: P.O. Box 566, Sesser, Illinois 62884  
Type of Mining Activity: Underground XXX Surface      Prep. Plant      Other       
Company Official(s): Steve Behling  
State Official(s): Stephen J. Demczak Federal Official(s): None  
Weather Conditions: Cool, windy, temp-teens, three inches of snow cover  
Existing Acreage: Permitted 5180 Disturbed 247 Regraded      Seeded       
Status: Active XXX

### REVIEW OF PERMIT, PERFORMANCE STANDARDS & PERMIT CONDITION REQUIREMENTS

- Substantiate the elements on this inspection by checking the appropriate performance standard.
  - 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.
  - For partial inspections check only the elements evaluated.
- Document any noncompliance situation by referencing the NOV issued at the appropriate performance standard listed below.
- Reference any narratives written in conjunction with this inspection at the appropriate performance standard listed below.
- 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	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. SIGNS AND MARKERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. TOPSOIL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. HYDROLOGIC BALANCE:				
a. DIVERSIONS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. SEDIMENT PONDS AND IMPOUNDMENTS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. OTHER SEDIMENT CONTROL MEASURES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. WATER MONITORING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. EFFLUENT LIMITATIONS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. EXPLOSIVES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. DISPOSAL OF EXCESS SPOIL/FILLS/BENCHES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. COAL MINE WASTE/REFUSE PILES/IMPOUNDMENTS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. NONCOAL WASTE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. PROTECTION OF FISH, WILDLIFE AND RELATED ENVIRONMENTAL ISSUES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. SLIDES AND OTHER DAMAGE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. CONTEMPORANEOUS RECLAMATION	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. BACKFILLING AND GRADING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. REVEGETATION	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
14. SUBSIDENCE CONTROL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
15. CESSATION OF OPERATIONS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. ROADS:				
a. CONSTRUCTION/MAINTENANCE/SURFACING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. DRAINAGE CONTROLS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. OTHER TRANSPORTATION FACILITIES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. SUPPORT FACILITIES/UTILITY INSTALLATIONS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. AVS CHECK (4 <sup>th</sup> Quarter- April, May, June)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. AIR QUALITY PERMIT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
21. BONDING & INSURANCE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## INSPECTION REPORT

(Continuation sheet)

PERMIT NUMBER: C/015/015

DATE OF INSPECTION: 12/12/2001

( COMMENTS ARE NUMBERED TO CORRESPOND WITH TOPICS LISTED ABOVE )

### 1. PERMITS, CHANGE, TRANSFER, RENEWAL, SALE

The permittee maybe submitting an amendment to revise the 4<sup>th</sup> East break. The permittee may use this area as a coal loadout. The 4<sup>th</sup> East break out has been approved by the Division for ventilation but has never been implemented. This area has been bonded.

#### OTHER PERMITS ON FILE AT MINE SITE

- Division Oil, Gas, and Mining (expires 01/08/2006).
- BLM ROW Grant.
- DEQ Air Quality Order.
- DEQ UPDES permit (expires 06/04/2004).

### 2. SIGNS AND MARKERS

The permittee was having a contractor reinstall the main gate and the identification sign to the property. These were temporarily removed in order for the County to reconstruct the road. The road reconstruction is finished and now the gate and sign are being reinstalled.

### 3. TOPSOIL

These piles were covered with snow.

### 4A. HYDROLOGIC BALANCE: DIVERSIONS

The diversions were constructed as designed. No water was flowing within these ditches during the inspection.

### 4B. HYDROLOGIC BALANCE: SEDIMENT PONDS AND IMPOUNDMENTS

The third quarter sediment ponds were inspected on September 11, 2001. The permittee had an annual sediment pond inspection on October 26, 2001. The annual sediment pond inspection was performed by P.E. Bruce T.S. Ware, badge No. 153834. No hazardous conditions were reported. This information will be submitted as part of the Annual Report.

### 4D. HYDROLOGIC BALANCE: WATER MONITORING

Water monitoring has been completed for the second quarter and data has been electronically submitted to the Division. The third quarter information is in the process of being enter into the EDS. There are five errors found in the third quarter electronic submittal in which the operator has to correct. This will be completed by the end of the fourth quarter. This was verified by reviewing the water database system. The permittee has taken all water samples of the fourth quarter but has not finished taking well water depth for the fourth quarter. The permittee plans to complete all water monitoring requirements the end of the quarter.

**INSPECTION REPORT**  
(Continuation sheet)

PERMIT NUMBER: C/015/015

DATE OF INSPECTION: 12/12/2001

An inspection was made of requirements in the Mining and Reclamation Plan as to the water monitoring sites, parameters, and holding times. The second quarter requirements for water monitoring were found to be complete.

**4E. HYDROLOGIC BALANCE: EFFLUENT LIMITATIONS**

The UPDES permit will expire June 4, 2004. The permit number is UT0022616.

The UPDES reports were inspected and complied the requirements of the permit.

**7. COAL MINE WASTE/REFUSE PILES/IMPOUNDMENTS**

Refuse pile inspection has been completed for the third quarter. The report was P.E. certified with no hazardous conditions being reported. This inspection was certified by Brian Butts. The inspection was done on September 11, 2001.

**8. NONCOAL WASTE**

The disturbed area was free of noncoal waste material. Currently, the material is being stored in a cut slope, as required in the MRP.

**13. REVEGETATION**

Jim Brown, NRCS, has taken a vegetation study of the reference areas. These areas were found to be in good condition.

The permittee has plans to reseed the disturbed area, before the next winter storm, where the water line has been installed.

**14. SUBSIDENCE CONTROL**

Subsidence monitoring has been taken for the 2001. This information will be in the annual report.

**15. CESSATION OF OPERATIONS**

The Division has determined that Emery Deep is no longer in Temporary Cessation. Monthly inspections began in October. The mine has plans to start ventilating the mine in January. Coal production will not take place for several months.

**16A. ROADS: CONSTRUCTION/MAINTENANCE/SURFACING**

Emery County has finished widening and paving the county road to the mine.

**18. SUPPORT FACILITIES/UTILITY INSTALLATIONS**

No new construction has taken place.

**INSPECTION REPORT**

(Continuation sheet)

PERMIT NUMBER: C/015/015

DATE OF INSPECTION: 12/12/2001

**20. AIR QUALITY PERMIT**

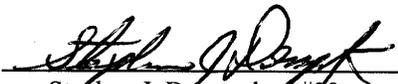
Air Quality Permit is on file and dated 02/02/1995. The permit will allow Emery Deep to mine 979,200 tons within a twelve-month period.

**21. BONDING AND INSURANCE**

The surety bond is in place for \$3,454,443. The disturbed area acreage is 247 acres and the permit area is 5180 acres.

Insurance documents are on file as required under the Utah coal rules. The acord form complies with the R654 Coal Rules. The policy will expire on November 5, 2002.

Inspector's Signature: \_\_\_\_\_

  
Stephen J. Demczak #39

Date: January 2, 2002

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

cc: James Fulton, OSM  
Tim Kirshbaum, Consol, Illinois  
Steve Behling, Consol, Emery  
Price Field office

O:\015015.EME\Compliance\2001\c\_1212.wpd