

0008



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)

PK
by
JD

INSPECTION REPORT

Partial ___ Complete XXX Exploration ___

Inspection Date: 05/29/2002 Time: 10:00am-2:30pm

Date of Last Inspection: 04/25/2002

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 IL 62884/P.O. Box 527, Emery, Utah 84522

Company Official(s): Seth McCourt

State Official(s): Stephen J. Demczak Federal Official(s): None

Weather Conditions: Warm, Sunny, 70's

Type of Mining Activity: Underground XXX Surface ___ Prep Plant ___ Other ___

Existing Acreage: Permitted 5180 Disturbed 247 Regraded ___ Seeded ___

Status: Active

REVIEW OF PERMIT, PERFORMANCE STANDARDS & PERMIT CONDITION REQUIREMENTS

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	<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 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 type="checkbox"/>	<input type="checkbox"/>
14. SUBSIDENCE CONTROL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. CESSATION OF OPERATIONS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. ROADS:				
a. CONSTRUCTION/MAINTENANCE/SURFACING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 th 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: 05/29/2002

(COMMENTS ARE NUMBERED TO CORRESPOND WITH TOPICS LISTED ABOVE)

1. PERMITS, CHANGE, TRANSFER, RENEWAL, SALE

The permittee may be submitting an amendment to revise the 4th East break out. The permittee may use this area as a coal loadout. The 4th East break out has been approved by the Division for ventilation but has never been implemented. This area has been bonded. The revision is scheduled to be reviewed by June 28, 2002.

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

Identification signs complied with the R645 Coal Rules. These signs are located at each point of access from a public road to each area of surface operations and facilities on the permit area.

3. TOPSOIL

There is a very small amount of vegetation growing on the topsoil piles. The depression is where the vegetation is located.

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 fourth quarter sediment ponds were inspected on December 12, 2001. The permittee had an annual sediment pond inspection on October 26, 2001. P.E. Bruce T.S. Ware, badge No. 153834, performed the annual sediment pond inspection. No hazardous conditions were reported. This information will be submitted as part of the Annual Report.

The first quarter inspection was on March 21, 2002. There were no reports of hazardous conditions. Some maintenance work was done on the sediment ponds such as cleaning the inlets.

4D. HYDROLOGIC BALANCE: WATER MONITORING

Water monitoring has been completed for the first quarter and data has been electronically submitted to the Division. The permittee plans to complete all water monitoring requirements for the second quarter by the end of the quarter.

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

INSPECTION REPORT
(Continuation Sheet)

PERMIT NUMBER: C/015/015

DATE OF INSPECTION: 05/29/2002

4E. HYDROLOGIC BALANCE: EFFLUENT LIMITATIONS

The permittee did not exceed the limits of the UPDES permit for the first quarter.

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

7. COAL MINE WASTE/REFUSE PILES/IMPOUNDMENTS

Refuse pile inspection has been completed for the first quarter. The report was P.E. certified with no hazardous conditions being reported. Brian Butts certified this inspection. The inspection was done on March 21, 2002.

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.

18. SUPPORT FACILITIES/UTILITY INSTALLATIONS

No new construction has taken place.

20. AIR QUALITY PERMIT

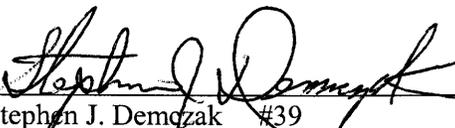
The Air Quality permit has been revised to 1.3 million tons mined per year.

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: June 3, 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 Kirschbaum, Consol, Illinois
Steve Behling, Consol, Emery
Price Field office

O:\015015.EME\Compliance\2002\c_0529.doc