

**CONSOL ENERGY™**

Emery Mine  
P.O. Box 527  
Emery, Utah 84522  
Phone: (435) 286-2301

May 9, 2003

015/015 Incoming  
cc: Steve

Mr. Daron Haddock  
Permit Supervisor  
Division of Oil, Gas and Mining  
1594 West North Temple, Suite 1210  
P.O. Box 145801  
Salt Lake City, Utah 84114-5801

RE: Emery Temporary Stockpile Inspection Report

Dear Mr. Haddock:

Please find enclosed the Temporary Stockpile Inspection Report for the First Quarter of 2003. The submittal of the report has been delayed due to several factors. The stockpile was inspected by myself in March which I sent back to a Certified Engineer in Illinois to be certified and then forwarded to the Division. I later found that the engineer wanted to personally inspect the pile since additional refuse had been added the previous quarter (4<sup>th</sup> Quarter 2002). He did not make it to Utah to inspect the stockpile and I was not made aware of this request until late April (that he had not forwarded the inspection to the Division and requested to personally inspect the stockpile).

At that time I contacted a Certified Engineer within Utah to perform the inspection. The engineer inspected the Refuse Pile on May 6<sup>th</sup>, 2003. Between the time of my inspection (March 14<sup>th</sup>) and his inspection (May 6<sup>th</sup>), refuse had been added to the stockpile from the coal fines that had been picked up across the fence (NOV 03-39-1-1, Coal Fines Outside Permit Boundary). Thus he has included this in his inspection on May 6<sup>th</sup>.

I apologize for the delay and have contracted with the Certified Engineer to perform the inspections on a quarterly basis and avoid any further confusion or delays.

If you have any questions or concerns please feel free to contact me at (435) 286-2301.

Sincerely,

Seth McCourt  
Mine Engineer

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MAY 12 2003  
DIV OF OIL, GAS & MINING

# INSPECTION FORM

## COAL REFUSE PILES AND COAL WASTE IMPOUNDMENTS

Name Seth McCourt Title Mine Engineer  
 Date 3/14/03 Date last inspected 12/13/02  
 Site Name Emercy Temp. Coal Storage Mine Name Emercy  
 Refuse Facility ID # 1211-UT-09-00079-01

Refuse piles---Part A only  
 Impoundments---Part A and Part B

### Part A

- |  |                                     |                                     |    |
|--|-------------------------------------|-------------------------------------|----|
| 1. Foundation preparation (vegetation, topsoil removal?) | Yes                                 | <input checked="" type="checkbox"/> | No |
| 2. Lift Thickness (inches)                               |                                     |                                     |    |
|  |                                     | <u>6 1/2 feet</u>                   |    |
| 3. Compaction (4 to 6 complete passes)                   | <input checked="" type="checkbox"/> | Yes                                 | No |
| 4. Burning* (specify extent and location)                | Yes                                 | <input checked="" type="checkbox"/> | No |
| 5. Angle of Slope (degrees)                              |                                     |                                     |    |
|  |                                     | <u>1/2:1</u>                        |    |
| 6. Seepage* (specify location, color, & appr. volume)    | Yes                                 | <input checked="" type="checkbox"/> | No |
| 7. Cracks or scarps* (location, size)                    | Yes                                 | <input checked="" type="checkbox"/> | No |
| 8. Major erosion problems* (location and extent)         | Yes                                 | <input checked="" type="checkbox"/> | No |
| 9. Water impounding against toe*                         | Yes                                 | <input checked="" type="checkbox"/> | No |

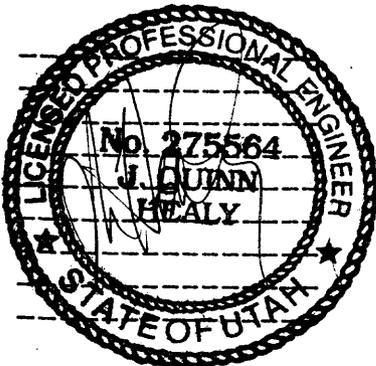
### Part B

- |   |     |    |
|---|-----|----|
| 10. Embankment freeboard (feet)                                     | Yes | No |
| 11. <u>    </u> Increase <u>    </u> Decrease in water level (feet) | Yes | No |
| 12. Sumps or sinkholes in slurry surface                            | Yes | No |
| 13. Clogging* (pipes, ditches, spillway)                            | Yes | No |
| 14. Trash racks clear and in place                                  | Yes | No |

\* Adverse conditions noted in these items should be described (extent, location, volume, etc.) in the space provided. Major adverse changes could cause instability.

Inspection  
Category

Comments



- No refuse added this quarter  
- No hazardous conditions or problems observed  
Inspected refuse pile on 5/6/03 with S. McCourt. New refuse  
has been added to the top of the existing pile. The mine personnel  
will remove all noncoal mine waste and combustible material and  
grade & compact in lifts not to exceed 24 inches. There are  
no visible instabilities or other hazardous conditions.

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