

INSPECTION REPORT

Partial XXX Complete Exploration
 Inspection Date: 02/12/2003 Time: 10:00pm-1:30pm
 Date of Last Inspection: 01/08/2003

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: Cool, No snow Cover
 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 type="checkbox"/>	<input type="checkbox"/>	<input 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 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. EXPLOSIVES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. DISPOSAL OF EXCESS SPOIL/FILLS/BENCHES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. COAL MINE WASTE/REFUSE PILES/IMPOUNDMENTS	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. SLIDES AND OTHER DAMAGE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. CONTEMPORANEOUS RECLAMATION	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. BACKFILLING AND GRADING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. REVEGETATION	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. SUBSIDENCE CONTROL	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. CESSATION OF OPERATIONS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. ROADS:				
a. CONSTRUCTION/MAINTENANCE/SURFACING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. DRAINAGE CONTROLS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. OTHER TRANSPORTATION FACILITIES	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. AIR QUALITY PERMIT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. BONDING & INSURANCE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

INSPECTION REPORT
(Continuation Sheet)

PERMIT NUMBER: C/015/015

DATE OF INSPECTION: 02/12/2003

(COMMENTS ARE NUMBERED TO CORRESPOND WITH TOPICS LISTED ABOVE)

1. PERMITS, CHANGE, TRANSFER, RENEWAL, SALE

The permittee was advised to send additional maps for the power pole amendment. The Division needs two additional maps. Seth McCourt said he would send two additional maps out today.

The area was inspected where violation N03-39-1-1 was issued. The area contained additional coal fines since the violation was written. The permittee stated a severe windstorm had taken place during the past weekend. The permittee had to re-secure two power poles due to the extremely windy conditions. Advice was given to the permittee that an incidental boundary change and additional structural designs maybe needed to prevent further violations in this area. The permittee was not directed by the inspector to take this action. It is the opinion of the inspector, that coal fines will always affect the lands outside the present permits area under the current designs. The reason is the high winds, height of the coal pile, and the closeness of the pile to the permit area boundary. The inspector stated to the permittee that a Pattern of Violation was conceivable in the future, if additional measures were not taken. A discussion of ideals took place with no real firm conclusion. It is the intent of the inspector to prevent a Pattern of Violation.

3. TOPSOIL

The Division's biologist, Priscilla Burton is concern that the coal fines could affect the berm next to the fence line by the coal pile. This berm is constructed from topsoil. The permittee will be advised to remove the topsoil and replace it with other soil.

4A. HYDROLOGIC BALANCE: DIVERSIONS

The diversions were spot-checked and complied with the R645 Coal Rules. No water was flowing in the diversions during the inspection.

4B. HYDROLOGIC BALANCE: SEDIMENT PONDS AND IMPOUNDMENTS

The 4th East sediment pond contained no water. There were no signs on any hazardous conditions to the sediment pond. This pond is not likely to discharge in the near future.

The permittee cleaned and fixed the inlet pipe to sediment #3 since the last inspection.

4D. HYDROLOGIC BALANCE: WATER MONITORING

Several past UPDES samples were not entered into the Electronic Data System. I requested the permittee to contact Dana Dean of the Division to correct this problem.

The permittee has entered the third quarter water information into the electronic water data system. The 4th quarter water samples are at the lab to be analyzed. This information should be entered into the water data system by the end of the first quarter.

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8. NONCOAL WASTE

The area was clear of non-coal waste material.

18. SUPPORT FACILITIES/UTILITY INSTALLATIONS

No new facilities were constructed since the last inspection.

Inspector's Signature: _____ Date: February 13, 2003
Stephen J. Demczak #39

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
Seth McCourt, Consol, Emery
Price Field office
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