



The State of Utah
 Department of
 Natural Resources
 Division of
 Oil, Gas & Mining

ROBERT L. MORGAN
Executive Director

LOWELL P. BRAXTON
Division Director

MICHAEL O. LEAVITT
Governor

OLENE S. WALKER
Lieutenant Governor

Representatives Present During the Inspection

OGM	Steve Demczak	Reclamation Specialist III
Company	Steve Behling	
Company	James Byars	
OGM	Dana Dean	Reclamation Specialist III

Inspection Report

Permit Number:	C0150015
Inspection Type:	COMPLETE
Inspection Date:	Tuesday, September 23, 2003
Start Date/Time:	9/23/2003 10:00:00 AM
End Date/Time:	9/23/2003 1:00:00 PM
Last Inspection:	Tuesday, August 05, 2003

Inspector: Dana Dean, Reclamation Specialist III

Weather: Warm ~80, calm, clear

Accepted by: dhaddock
 10/7/2003

Permitee: **CONSOLIDATION COAL CO**
 Operator: **CONSOLIDATION COAL CO SESSER OPERATIONS**
 Site: **EMERY DEEP MINE**
 Address: **PO BOX 566, SESSER IL 62884**
 County: **EMERY**
 Permit Type: **PERMANENT COAL PROGRAM**
 Permit Status: **ACTIVE**

Current Acreages

5,180.00	Total Permitted
247.00	Total Disturbed
	Phase I
	Phase II
	Phase III

Mineral Ownership

- Federal
- State
- County
- Fee
- Other

Types of Operations

- Underground
- Surface
- Loadout
- Processing
- Reprocessing

Report summary and status for pending enforcement actions, permit conditions, Divison Orders, and amendments:

Inspector's Signature: _____

Date Wednesday, September 24, 2003

Dana Dean, Reclamation Specialist III

Inspector ID Number: 50

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

1594 West North Temple, Suite 1210, PO Box 145801, Salt Lake City, UT 84114-5801
 telephone (801) 538-5340 • facsimile (801) 359-3940 • TTY (801) 538-7223 • www.ogm.utah.gov

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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 Not Applicable.
 - b. For PARTIAL inspections check only the elements evaluated.
2. Document any noncompliance situation by reference 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	Not Applicable	Comment	Enforcement
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.a Hydrologic Balance: Diversions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.b Hydrologic Balance: Sediment Ponds and Impoundments	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.c Hydrologic Balance: Other Sediment Control Measures	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.d Hydrologic Balance: Water Monitoring	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.e Hydrologic Balance: Effluent Limitations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Explosives	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Contemporaneous Reclamation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Backfilling And Grading	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.a Roads: Construction, Maintenance, Surfacing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.b Roads: 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 type="checkbox"/>	<input type="checkbox"/>
19. AVS Check	<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 and Insurance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
22. Other	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

1. Permits, Change, Transfer, Renewal, Sale

The Permittee submitted a more detailed plan to abate Notice of Violation N03-39-1-1 on September 12. Additional dust control measures include more sprays, a different truck route and cattle-guards where coal fines can settle off from tires just before the trucks leave the property. The Division's review of the plan is due on September 23. The Permittee committed to implement the plan by October 15.

2. Signs and Markers

Identification signs contain the required information and are properly located.

3. Topsoil

The topsoil pile has sparse vegetation growing on it. It is stable and properly bermed. There were no signs of significant erosion.

4.a Hydrologic Balance: Diversions

Diversions were spot-checked and should function as designed.

4.b Hydrologic Balance: Sediment Ponds and Impoundments

Mr. Seth McCourt conducted the second quarter pond inspections in May. He did not note any hazards or instabilities

4.c Hydrologic Balance: Other Sediment Control Measures

Silt fences at the 4th East Portal were spot-checked. They are installed properly and should function as designed.

4.d Hydrologic Balance: Water Monitoring

Second-quarter water monitoring is complete and the Permittee is working on electronic submission to the Division this week. The Permittee submitted complete water-monitoring data for the first-quarter, though it was a few days late.

4.e Hydrologic Balance: Effluent Limitations

The Permittee provided hard copies of the DMR's for review during the inspection. The Permittee needs to include DMR information in the electronic data submission, back to at least the first-quarter of this year.

8. Noncoal Waste

The disturbed area was generally clear of non-coal waste.

20. Air Quality Permit

The Division of Air Quality is currently reviewing and updating the Air Quality Permit. They had previously revised it to include the 4th East Portals.

21. Bonding and Insurance

The Certificate of Insurance (Liability) is valid through November 5, 2003. It provides for \$1,000,000 aggregate and \$1,000,000 per each occurrence, which satisfies the Coal Rules. The site is bonded for the amount of \$3,454,443. The surety is the Seaboard Surety Company, which has an A+ rating.

22. Other

The Permittee has contracted JBR to rewrite the SPCC plan, which is out of date.