



The State of Utah

Department of
Natural ResourcesDivision of
Oil, Gas & MiningROBERT L. MORGAN
*Executive Director*LOWELL P. BRAXTON
*Division Director*OLENE S. WALKER
*Governor*GAYLE F. McKEACHNIE
Lieutenant Governor

| | |
|-----------------------------------------------|--------------------------------------------|
| 5 HSUHM-HQMMYH/V 3 UHMHQW XLUQJ WH, QVSH-FURQ | |
| &RP SDQ | 6 WMYH %H-KQDJ |
| 2 * 0 | 6 WMYH' HP FJ DN (QMURCP HQJOC6 FJHQMMW,, |

Inspection Report

| | |
|------------------|------------------------|
| Permit Number: | C0150015 |
| Inspection Type: | COMPLETE |
| Inspection Date: | Friday, June 04, 2004 |
| Start Date/Time: | 06/04/2004 11:00:00 AM |
| End Date/Time: | 06/04/2004 3:00:00 PM |
| Last Inspection: | Tuesday, May 11, 2004 |

Inspector: Steve Demczak, Environmental Scientist IIIWeather: Sunny, 80'sInspectionID Report Number: 293Accepted by: pgrubaug
06/22/2004

Permittee: **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

| | |
|----------|------------------------|
| 5,060.00 | Total Permitted |
| 289.60 | 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:

Permit Conditions: Emery Deep has one permit condition. The permittee must submit water quality data in an electronic format through the Electronic Data Input web site.

No violations are pending.

On April 19, 2004, Consolidation Coal requested an Agency Board Hearing. The permittee wanted to invalidate certain provisions of the amendment requiring the implementation of certain air quality measures. The Division staff met with Consol on April 30, 2004 and the issues were resolved by submitting a new amendment. The DOGM Board withdrew the hearing during to Consol and the Division resolving the issues.

Inspector's Signature**Date** Monday, June 07, 2004Steve Demczak, Environmental Scientist III
Inspector ID Number: 39**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
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 Inspection Date: Friday, June 04, 2004

Inspection Continuation Sheet

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, Divison 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 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 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 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.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 type="checkbox"/> | <input type="checkbox"/> |
| 21. Bonding and Insurance | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 22. Other | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

1. Permits, Change, Transfer, Renewal, Sale

No permitting actions are reported in the CTS system.

2. Signs and Markers

Identification signs were inspected and complied with the requirements of the R645 Coal Rules.

3. Topsoil

The 4th East Portal topsoil pile was inspected with vegetation growing on the pile. There were no signs of water or wind erosion to the topsoil pile.

4.a Hydrologic Balance: Diversions

The diversions were spot-checked and complied with the performance standards.

4.b Hydrologic Balance: Sediment Ponds and Impoundments

The sediment ponds were inspected by the permittee for the first quarter. No hazardous conditions were noticed during the inspection. The sediment ponds that receive mine water contained water. The sediment ponds that receive disturbed area runoff were dry. No hazardous conditions were noticed during the inspection.

4.c Hydrologic Balance: Other Sediment Control Measures

Silt fences along the topsoil pile at the 4th East Portals were inspected and were functioning as designed.

4.d Hydrologic Balance: Water Monitoring

The permittee will be submitting water monitoring data to the Division's data base system by the end of June.

4.e Hydrologic Balance: Effluent Limitations

The permittee was complying with the UPDES requirements for the first quarter of 2004.