State of Utah

Department of Natural Resources

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas & Mining

JOHN R. BAZA
Division Director

JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

Inspection Report

Representatives Present During the Inspection:	
Company	Russell Hardy
OGM	Steve Demczak Environmental Scientist III

Permit Number:	**C0150015**
Inspection Type:	PARTIAL
Inspection Date:	Tuesday, March 07, 2006
Start Date/Time:	3/7/2006 10:00:00 AM
End Date/Time:	3/7/2006 4:00:00 PM
Last Inspection:	Wednesday, February 15, 2006

Inspector: Steve Demczak, Environmental Scientist III

Weather: Cold, Cloudy, 30's

InspectionID Report Number: 892

Accepted by: pgrubaug
3/20/2006

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

5,408.00	**Total Permitted**
289.60	**Total Disturbed**
	Phase I
	Phase II
	Phase III

Mineral Ownership

- [x] Federal
- [ ] State
- [ ] County
- [x] Fee
- [ ] Other

Types of Operations

- [x] Underground
- [ ] Surface
- [ ] Loadout
- [ ] Processing
- [ ] Reprocessing

Report summary and status for pending enforcement actions, permit conditions, Division 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 pending.

Inspector's Signature: /S/ **Date** Wednesday, March 08, 2006

Steve 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
telephone (801) 538-5340 • facsimile (801) 359-3940 • TTY (801) 538-7458 • *www.ogm.utah.gov*

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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 performace 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	☑	☐	☑	☐
2.	Signs and Markers	☐	☐	☐	☐
3.	Topsoil	☑	☐	☑	☐
4.a	Hydrologic Balance: Diversions	☑	☐	☑	☐
4.b	Hydrologic Balance: Sediment Ponds and Impoundments	☑	☐	☑	☐
4.c	Hydrologic Balance: Other Sediment Control Measures	☐	☐	☐	☐
4.d	Hydrologic Balance: Water Monitoring	☐	☐	☐	☐
4.e	Hydrologic Balance: Effluent Limitations	☐	☐	☐	☐
5.	Explosives	☐	☐	☐	☐
6.	Disposal of Excess Spoil, Fills, Benches	☐	☐	☐	☐
7.	Coal Mine Waste, Refuse Piles, Impoundments	☐	☐	☐	☐
8.	Noncoal Waste	☑	☐	☑	☐
9.	Protection of Fish, Wildlife and Related Environmental Issues	☐	☐	☐	☐
10.	Slides and Other Damage	☐	☐	☐	☐
11.	Contemporaneous Reclamation	☐	☐	☐	☐
12.	Backfilling And Grading	☐	☐	☐	☐
13.	Revegetation	☐	☐	☐	☐
14.	Subsidence Control	☐	☐	☐	☐
15.	Cessation of Operations	☐	☐	☐	☐
16.a	Roads: Construction, Maintenance, Surfacing	☐	☐	☐	☐
16.b	Roads: Drainage Controls	☐	☐	☐	☐
17.	Other Transportation Facilities	☐	☐	☐	☐
18.	Support Facilities, Utility Installations	☑	☐	☑	☐
19.	AVS Check	☐	☐	☐	☐
20.	Air Quality Permit	☐	☐	☐	☐
21.	Bonding and Insurance	☐	☐	☐	☐
22.	Other	☐	☐	☐	☐

1. Permits, Change, Transfer, Renewal, Sale

The permittee has plans to submit a major and minor exploration plan to the Division in the near future. Plans will be reviewed in the order received.

3. Topsoil

The topsoil pile at the 4th east portal was inspected with no signs of wind or water erosion.

4.a Hydrologic Balance: Diversions

The diversions were spot-checked and were functioning as designed.

4.b Hydrologic Balance: Sediment Ponds and Impoundments

The sediment pond was recently cleaned and did not contain any water. The permittee will need to submit as-built drawings to the Division.

8. Noncoal Waste

The area was fairly clear of non-coal waste. However, the permittee is beginning to lay belting over the roads. This is improper storage area for materials.

18. Support Facilities, Utility Installations

The permittee will be continuing the construction of the coal sampler building.