



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

Representatives Present During the Inspection:	
Company	Russell Hardy
OGM	Steve Christensen Environmental Scientist II
OGM	Joe Helfrich Environmental Scientist III
OGM	Priscilla Burton Environmental Scientist III

Inspection Report

Permit Number:	C0150015
Inspection Type:	COURTESY
Inspection Date:	Wednesday, April 11, 2007
Start Date/Time:	4/11/2007 10:00:00 AM
End Date/Time:	4/11/2007 2:30:00 PM
Last Inspection:	

Inspector: Steve Christensen, Environmental Scientist II

Weather: Partly cloudy, 0-5 mph winds, 50 degrees F

InspectionID Report Number: 1267

Accepted by: whedberg *AK*
5/1/2007

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	
5,568.00	Total Permitted
62.50	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, Division Orders, and amendments:

A field inspection was conducted at the Emery Deep Mine to evaluate potential impacts from the full extraction of the 14th west panel. A 30-day conditional approval for full extraction of the panel was granted by the Division. The panel is located in Section 29, T 22S, R 6E.

Inspector's Signature: *[Signature]* Date: Monday, April 16, 2007
 Steve Christensen, Environmental Scientist II
 Inspector ID Number: 54

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

Permit Number: C0150015
 Inspection Type: COURTESY
 Inspection Date: Wednesday, April 11, 2007

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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Signs and Markers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Topsoil	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.a Hydrologic Balance: Diversions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.b Hydrologic Balance: Sediment Ponds and Impoundments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.c Hydrologic Balance: Other Sediment Control Measures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.d Hydrologic Balance: Water Monitoring	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.e Hydrologic Balance: 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 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 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
15. Cessation of Operations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.a Roads: Construction, Maintenance, Surfacing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.b Roads: 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. AVS Check	<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 and Insurance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
22. Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

14. Subsidence Control

Upon arriving at the site and walking the area, numerous irrigation ditches and drainage canals were field verified. The ditches and canals are identified by the Permittee on Plate V-3, Pre-Subsidence Survey. It was determined that the 14th west panel will undermine a section of irrigation ditches currently in use at the site. Though the cover in the area is approximately 600-700 ft. in the area, the potential exists for subsidence to impact the function and use of these drainage ditches. During the recently approved 600 acre IBC addition, several modifications were made to the MRP that outline subsidence mitigation and monitoring. The Permittee's obligations and commitments relative to subsidence monitoring are outlined in Chapter V beginning on page V-36. The subsidence monitoring and pre-subsidence survey commitments were discussed with the Permittee. Of particular relevance in light of the 14th west full extraction were items 1A, 2A, 1,1 and 12 in the MRP. The Permittee is to have a representative walk the potentially impacted areas once a month. A report is to be generated and submitted to the Division. In addition, the Permittee committed to up-dating the pre-subsidence survey prior to full extraction. As of the time of this inspection, the pre-subsidence survey had not been updated. It was further discussed that the Permittee was required to submit a copy of the pre-subsidence survey to all affected stakeholders including landowners, the water conservancy district as well as the Division. Russel Hardy of Consol indicated that negotiations were currently underway with the surface landowners containing the 14th and 15th west panels.