



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 Karl Houskeeper Environmental Scientist III

Inspection Report

Permit Number:	C0150015
Inspection Type:	COMPLETE
Inspection Date:	Tuesday, September 09, 2008
Start Date/Time:	9/9/2008 8:30:00 AM
End Date/Time:	9/9/2008 12:30:00 PM
Last Inspection:	Tuesday, August 12, 2008

Inspector: Karl Houskeeper, Environmental Scientist III

Weather: Overcast, Temp. 60 Deg. F.

InspectionID Report Number: 1759

Accepted by: jhefric

10/7/2008

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

5,568.00	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:

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. This condition is being met.

Citation 10027 terminated 08/18/2008.

The 2007 annual report was reviewed in conjunction with this complete inspection. A copy of the review will be attached to the hard copy of this report.

Inspector's Signature: _____

Karl R. Houskeeper

Date Tuesday, September 09, 2008

Karl Houskeeper, Environmental Scientist III

Inspector ID Number: 49

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

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 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 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 checked="" 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 checked="" 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 checked="" 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 type="checkbox"/>	<input type="checkbox"/>

1. Permits, Change, Transfer, Renewal, Sale

The current DOGM permit C/015/015 was issued effective 01/06/2006 and expires 01/08/2011.

-Certificate of Insurance policy number BOG 9377 215-04, issued 11/05/2007 and terminates 11/05/2008.

-UPDES permit UT-0022616 effective 12/01/2006 and expires @ midnight 11/30/2011.

-Air Quality permit DAQE-AN0229006-05, issued July 20, 2005.

-SPCC Plan dated 10/24/06. The Plan is P.E. certified, stamped, signed and dated by a Utah P.E.

2. Signs and Markers

The mine ID signs are in place and contain the required information.

4.a Hydrologic Balance: Diversions

Equipment and stored material were observed in the diversion adjacent to the bath house facilities. These items were discussed during the inspection. Items in the diversion prevent the diversion from functioning as designed. The items need to be removed immediately and care needs to be taken to prevent future occurrences that may result in enforcement action.

4.b Hydrologic Balance: Sediment Ponds and Impoundments

Second quarter pond inspections were done on 06/25/2008.

4.d Hydrologic Balance: Water Monitoring

First and second quarter 2008 water monitoring information is in the EDI website, but have not been uploaded. Water monitoring is current.

4.e Hydrologic Balance: Effluent Limitations

April, May and June discharge monitoring reports were reviewed. Ponds 2, 4, 5, 6, 7, 8, and 9 did not discharge. Ponds 1 and 3 did discharge. All three months showed that the max loading for TDS was exceeded. DEQ was notified of all the events and the condition is under review.

7. Coal Mine Waste, Refuse Piles, Impoundments

The second quarter refuse pile inspection was done on 05/27/2008 and P.E. certified.

18. Support Facilities, Utility Installations

Work has begun on the new oil storage building at the 4th east portal area.

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20. Air Quality Permit

The Air Quality Permit Approval Order DAQE-AN0229006-05 was issued on July 20, 2005. The permit remains effective.

21. Bonding and Insurance

Bond #188617, May 3, 1991 and signed August 30, 2005. Bond amount was \$3,454,443.00 was revised to \$2,208,000.00 on July 23, 2004.

2007 Annual Report Review

Permittee: Consolidation Coal Company
Mine Name: Emery Deep
Permit Number: C015/0015
Date Report Received: July 1, 2008

Assigned Reviewer: Karl R. Houskeeper **Date Completed** July 31, 2008

Instructions: The assigned inspector will review the Annual report during the third quarter complete inspection and provide a written determination (finding) on how the mine has or has not met the permit requirements for reporting. If the report is deficient or remedial action is required to obtain compliance, this should be noted and the mine lead notified. A copy of this review will be filed with the Inspection Report. Should any of the sections require additional technical analysis, the inspector will notify the permit supervisor so that it can be scheduled during the 4th quarter.

SECTIONS TO REVIEW SUBMITTED FINDINGS

YES NO NA

SECTIONS TO REVIEW	YES	NO	NA	FINDINGS
Cover Sheet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
General Information	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Identification of other Permits	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Annual Impoundment Certification	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	No MSHA impoundments. See Engineering Section for sediment pond certifications.
Annual Overburden, Spoil, Refuse, Floor, etc. Certified Report	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Refuse pile certifications for 1 st through 4 th quarter 2007 are included in the annual report. The reports are P.E. certified.

Annual Technical Requirements (Commitments)				
Climatological	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Subsidence	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>A subsidence report is included in the 2007 annual report. The subsidence report consists of a data sheet that shows the location name, northing and easting coordinates, adjusted Oct. 06 elevations and the Nov. 07 elevation.</p> <p>The report did not contain a map that shows the location of the subsidence points in relationship to any underground workings. No visual determination can be correlated from the information given whether current mining areas have subsided.</p>
Vegetation monitoring	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Raptor Survey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The 2007 annual report contains a raptor data table and corresponding map. This information needs to be reviewed by a Division Biologist.
Soils Monitoring	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Water Monitoring	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Geological/Geophysical	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

2007 Annual Report Review

Engineering	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Annual certifications are included in the annual report for sediment ponds 1, 2, 3, 5, 6, & 9. The certifications do not include information for the 100% sediment elevation or the existing sediment elevation for any of the ponds as required by the Division. The report does give the design storage volumes and the 60% storage volume for each pond, however no correlation can be made from the information given to determine if the ponds have reached the 60 % clean level.</p> <p>Ponds 1, 2, 3, & 6 required maintenance or follow up items. Items 1&6 were addressed in the first quarter Of 2008. Items 2 & 3 still need to be done.</p>
Non-Coal Waste	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Abandoned Underground Equipment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

AVS; Legal/ Financial Update	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>A certified copy of the Application for Certificate of Authority from the Utah Department of Commerce is included with the 2007 Annual Report.</p> <p>The annual report also contains a current Ownership and Control Report.</p>
Mine Sequence Map	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The mine map included in the 2007 Annual Report shows workings prior to 2007, mined areas during 2007, and proposed future mining. The map is P.E. certified.</p>
Other Information	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

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