



State of Utah

Department of  
Natural ResourcesMICHAEL R. STYLER  
Executive DirectorDivision of  
Oil, Gas & MiningJOHN R. BAZA  
Division DirectorJON M. HUNTSMAN, JR.  
GovernorGARY R. HERBERT  
Lieutenant Governor

## Representatives Present During the Inspection:

OSM	Christine Belka	Environmental Protection Specialist
Company	Ian McClain	Associate Engineer
OGM	Karl Houskeeper	Environmental Scientist III

# Inspection Report

Permit Number:	C0150015
Inspection Type:	COMPLETE OVERSITE
Inspection Date:	Tuesday, October 27, 2009
Start Date/Time:	10/27/2009 7:30:00 AM
End Date/Time:	10/27/2009 3:30:00 PM
Last Inspection:	Tuesday, September 01, 2009

Inspector: Karl Houskeeper, Environmental Scientist IIIWeather: Overcast/Cloudy, Temp. 41 Deg. F.InspectionID Report Number: 2174

Accepted by: jheltric

10/28/2009

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
248.50	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:

Jaren Jorgensen, Consol, was present during the inspection.

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.

Inspector's Signature: \_\_\_\_\_

Date Tuesday, October 27, 2009

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 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 checked="" 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 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 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 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 01/05/2009 and terminates 11/05/2009.

-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.b Hydrologic Balance: Sediment Ponds and Impoundments**

Third quarter 2009 pond inspections were done on 09/30/2009.

All ponds were visited during the complete oversight inspection. PVC pipe along the bank of Pond 3 should be removed. Large black inlet cullet into Pond 5 is cracked or broken and needs to be repaired. Ditch leading into Pond 5 continues to build with sediment requiring continual maintenance. The gradual slope has caused the culvert outlet under the truck crossing to fill with sediment. The outlet is 3/4 plugged by sediment. The operator was given the opportunity to clean the culvert prior to the close of the inspection to avoid compliance action. The culvert was cleaned but his area continues to be a liability due to the slope of the diversion.

**4.e Hydrologic Balance: Effluent Limitations**

The September 2009 discharge monitoring reports indicated that the monthly weighted average TDS of 3500 mg/l were exceeded. The actual level being 3796 mg/l. The Division of Water Quality was notified by letter.

**7. Coal Mine Waste, Refuse Piles, Impoundments**

The third quarter 2009 refuse pile inspection was done on 08/19/2009 and P.E. certified 8/21/2009.

**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 December 3, 2008 is \$3,510,000.

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**22. Other**

Christine Belka OSM observed during the inspection that the lower levels of the wind fence at the North East Portals is torn and or tattered. No evidence of coal fines offsite were observed. This condition could present a problem in the future.