



The State of Utah  
 Department of  
 Natural Resources  
 Division of  
 Oil, Gas & Mining

ROBERT L. MORGAN  
 Executive Director

LOWELL P. BRAXTON  
 Division Director

OLENE S. WALKER  
 Governor

GAYLE F. McKEACHNIE  
 Lieutenant Governor

Representatives Present During the Inspection:	
OGM	Karl Houskeeper Environmental Scientist III
OGM	Steve Demczak Environmental Scientist III

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# Inspection Report

Permit Number:	C0150015
Inspection Type:	PARTIAL
Inspection Date:	Monday, June 14, 2010
Start Date/Time:	6/14/2010 10:00:00 AM
End Date/Time:	6/14/2010 1:00:00 PM
Last Inspection:	Thursday, May 06, 2010

Inspector: Karl Houskeeper, Environmental Scientist III

Weather: Clear, Temp. 65 Deg. F.

InspectionID Report Number: 2397

Accepted by: jhelfric  
 6/16/2010

Permitee: **CONSOLIDATION COAL CO**  
 Operator:  
 Site: **EMERY DEEP MINE**  
 Address: **PO BOX 566, SESSER IL 62884**  
 County: **EMERY**  
 Permit Type: **PERMANENT COAL PROGRAM**  
 Permit Status: **ACTIVE**

**Current Acreages**

442.50	<b>Total Permitted</b>
248.50	<b>Total Disturbed</b>
	<b>Phase I</b>
	<b>Phase II</b>
	<b>Phase III</b>

**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 Surveyor) and Adam Occark (Consol Summer Student) were present during the inspection.

Citations 10055, 10056 and 10057 were issued as part of this inspection. See item 4a. for Citations 10055 and 10056. See item 4c for Citation 10057.

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

Karl R. Houskeeper

Date: Monday, June 14, 2010

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 type="checkbox"/>	<input type="checkbox"/>	<input 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 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Noncoal Waste	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>

## **2. Signs and Markers**

The mine identification signs are located at the points of public access to the permit area and contain the required information.

Disturbed area markers through out the site should be visible (painted roof bolts), Some bolts may require maintenance.

Several Stream Buffer Zone signs and Topsoil signs were found laying on the ground during the inspection. The signs were stood back up during the inspection, but need to be secured into place to prevent them from falling back to the ground. All signs should be checked for visibility and stability.

### **4.a Hydrologic Balance: Diversions**

Citation #10055 was issued for failure to maintain Diversion (Culvert A) located at the base of the access road to the refuse pile. The culvert was found to be completely plugged (100%) on the inlet and outlet. Abatement date given is July 15, 2010.

Citation #10056 was issued for failure to maintain diversion (Culvert (no designation listed on Plate VI-10D)) leading into Pond NO. 9, 4th East Portal Area. The outlet is completely plugged (100%). The abatement date to clean and identify this culvert on Plate VI-10D through the amendment process is July 15, 2010.

Culvert at truck exist 4th East Portal area is 50 - 80% plugged at inlet and outlet. Needs to be cleaned to avoid compliance action. Diversion ditch leading from culvert referenced at truck exist and leading into Pond No. 9 has water impounded in it. There is a reverse grade toward the culvert outlet. Diversions should not impound water. This area has been identified on numerous occasions as a problem area including an OSM oversight inspection. Proper action and evaluation needs to be taken on this diversion. Recommendations from this inspection have been made to issue a Division Order to encourage the operator to adequately address this problem and avoid a compliance action.

### **4.b Hydrologic Balance: Sediment Ponds and Impoundments**

Noncoal waste (weeds and shrubs) were found in pond 8. The material looks like it has been scraped from an area and stored within the pond. The material needs to be removed immediately.

Several lengths of abandoned pipe (noncoal waste) were found in former pond No. 4. The pipe needs to be gathered and disposed of in the approved disposal area.

Belting to prevent erosion at pond No. 5 needs to be re-secured into place. There is some erosion present in the drainage above the pond. Both items need to be addressed.

**4.c Hydrologic Balance: Other Sediment Control Measures**

Citation #10057 was issued for failure to maintain siltation structures associated with the 4th East Portal Area. Silt fences #1 and #3 on the North and West side of the 4th East Permit area were sun rotted and wind ripped (some portions were completely obliterated). Varmint holes transcend the berm around the North side creating the potential for an offsite impact. The silt fences need to be replaced and/or repaired. The varmint holes need to be repaired. The abatement date given is July 15, 2010.

Seep hole present under belting on bridge leading to storage yard main facilities (Bone Yard) needs to be repaired to prevent offsite impact. Needs to be addressed immediately to avoid enforcement action.

Breach in road berm same area as listed above prior to road bridge needs to be repaired to prevent offsite impact. Needs to be taken care of immediately to avoid compliance action. It appears that a vehicle breached the berm.

## **8. Noncoal Waste**

Noncoal waste items is ramped through out the entire mine site. Within the disturbed and undisturbed areas. The mine personnel attempted to collect some of the items during the inspection, but the volume was to great to accomplish the task within the time frame of the inspection. Citation #10048 was issued 03/11/2010 for noncoal waste within the main parking area. At that time mine personnel were asked to police the entire permit area. The abatement date was set for 03/16/2010. Noncoal waste items were still found on the abatement date. Additional time was given to bring the parking area into compliance (4 hours) . During this inspection other areas were identified along the main access road to the main facilities. Mine personnel were once again advised that the entire permit area needed to be policed for noncoal waste items.

During this partial inspection a more aggressive approach (walked the majority of the active permit area) was taken to help the mine identify areas within the permit area that contain noncoal waste items. Enforcement action was not taken at this time due to a fact of violation and assessment conference that is scheduled on 06/17/2010 for Citation #10048.

Several straw bales and soil material is present just below the main parking area. This material needs to be disposed in the approved noncoal waste storage area.

Noncoal waste items were present around the substation above the mine rescue training field. The items are on the outside of the substation. A long green mine hose and part of a power pole were observed along the access road to the substation. These items need to be gathered and disposed of in the approved noncoal storage area.

A list was generated on site of the scope of work needed to bring the mine site into compliance with the coal rules. Jaren Jorgensen took notes of the areas that need attention.

The entire mine site needs to be policed for noncoal waste items. These items need to be gathered and placed in the approved noncoal waste storage area to prevent enforcement action in the future.

## **18. Support Facilities, Utility Installations**

Coal storage piles located adjacent to the refuse pile have noncoal waste items mingled with the coal. Noncoal waste items need to be gathered and placed in the approved storage location.

Cable and/or hose in roadway west side of 4th East Portal Area needs to be removed and stored in proper area or disposed of.