From: Karl Houskeeper
To: JohnGefferth@consolenergy.com ; PeterBehling@consolenergy.com; SteveBe...
CC: ANGELANANCE@utah.gov; DARONHADDOCK@utah.gov; SUZANNESTEAB@utah.gov
Date: 3/28/2011 4:07 PM
Subject: March 2011 Inspection Reports
Attachments: Emery Deep March 2011.pdf; Hidden Valley March 2011.pdf

Attached are the March 2011 inspection reports for Hidden Valley and Emery Deep.

Thanks,
Karl

GARY R. HERBERT
Governor

GREG BELL
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

Inspection Report

Permit Number:	**C0150015**
Inspection Type:	COMPLETE
Inspection Date:	Tuesday, March 22, 2011
Start Date/Time:	3/22/2011 8:00:00 AM
End Date/Time:	3/22/2011 2:00:00 PM
Last Inspection:	Tuesday, February 22, 2011

Representatives Present During the Inspection:	
Company	Peter Behling
OGM	Karl Houskeeper

Inspector: Karl Houskeeper,

Weather: Partly Cloudy/ Windy, Temp. 35 Deg. F.

InspectionID Report Number: 2686

Accepted by: jhelfric
3/28/2011

Permitee: **CONSOLIDATION COAL CO**
Operator: **CONSOLIDATION COAL CO**
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	**Total Permitted**
248.50	**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:

Inspector's Signature: Karl R. Houskeeper **Date** Tuesday, March 22, 2011

Karl Houskeeper,
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.

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

UTAH DNR OIL, GAS & 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 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 current DOGM permit C/015/015 was issued effective 01/06/2011 and expires 01/07/2016.

-Certificate of Insurance policy number BOG 9377 215-07, issued 11/05/2010 and terminates 11/05/2011.
-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 07/13/09. The Plan is P.E. certified, stamped, signed and dated by a Utah P.E.

2. Signs and Markers

The mine identification signs are in place at points of access to the permit area. The signs contain the required information.

3. Topsoil

Wood blocks were observed on the side and top of the topsoil storage material that cosists of the topsoil berms. Material needs to be removed from the topsoil storage and care needs to be taken not to allow materials on the topsoil storage.

4.b Hydrologic Balance: Sediment Ponds and Impoundments

Fourth quarter 2010 pond inspections were done on 12/22/2010.

4.e Hydrologic Balance: Effluent Limitations

The January and February 2011 discharge monitoring reports were reviewed as part of the complete inspection. The TDS loading parameter was exceeded. The company notified DEQ of the exceeded parameters by separate letters.

7. Coal Mine Waste, Refuse Piles, Impoundments

The fourth quarter 2010 refuse pile inspection was done on 11/20/2010 and P.E. certified. First quarter 2011 refuse pile inspection was done on 02/22/2011.

8. Noncoal Waste

Shrink wrap was observed on the south eastern side of the 4th East Portal Area fence. The shrink wrap was probably blown there during recent high wind conditions. Peter Behling made note of the condition and will place the material in the appropriate storage facility.

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.

22. Other

Several 55 gallon drums were observed at the 4th East Portal site without proper containment. Proper containment needs to be provided for vessels of this size or the drums need to be placed in the existing storage containment.