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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:	Wednesday, February 08, 2012
Start Date/Time:	2/8/2012 8:30:00 AM
End Date/Time:	2/8/2012 2:30:00 PM
Last Inspection:	Wednesday, January 04, 2012

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

Inspector: Karl Houskeeper

Weather: Partly cloudy, Temp. 31 Deg. F.

InspectionID Report Number: 3007

Accepted by: jheltric

2/14/2012

Permittee: **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

- 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:

Inspector's Signature: _____

Karl Houskeeper,
Inspector ID Number: 49

Date Wednesday, February 08, 2012



Note: This inspection report is not an official record of the Division of Oil, Gas and Mining. It is for informational purposes only. For more information, contact the Division of Oil, Gas and Mining, telephone (801) 538-5340 • facsimile (801) 359-3940 • TTY (801) 538-7458 • www.ogm.utah.gov

OIL, GAS & MINING

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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 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 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 checked="" 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 checked="" 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 01/06/2011 and expires 01/07/2016.

-Certificate of Insurance policy number BOG 9377 207-08, issued 11/05/2011 and terminates 11/05/2012.

-UPDES permit UT-0022616 effective 12/01/2006 and expires @ midnight 11/30/2011. The existing permit has been extended by DEQ until new parameters are evaluated and issued.

-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 were in place at the main facility and the 4th east portal area. Both signs contained the required information.

4.b Hydrologic Balance: Sediment Ponds and Impoundments

Fourth quarter 2011 and Annual 2011 pond inspections were done on December 15, 2011.

4.e Hydrologic Balance: Effluent Limitations

Reviewed the discharge monitoring reports for December 2011. The TDS loading levels were exceeded. The operator notified DEQ.

7. Coal Mine Waste, Refuse Piles, Impoundments

Fourth quarter 201 refuse pile inspection was done on 11/6/11.

Information was received at the SLC DOGM office that potentially refuse material had been removed from the Emery refuse pile and shipped to a new un-permitted load-out site for the SUFCO mine. An investigation of these allegations was conducted during the complete inspection. The inspection showed that no refuse material has been removed from the refuse pile at Emery Deep. A high ash coal pile that was located adjacent to the refuse pile has been removed and was sold to SUFCO for base material to be used under a coal stockpile at a new load-out that is in close proximity to the Emery Deep Mine. The new SUFCO load-out is currently being constructed and is located on the west side of State Highway 10 between the turn off to Emery Deep and the turn off to Hidden Valley. It is evident that no material has been removed from the refuse pile at Emery because the surface and sides of the pile has some weed growth which has not been disturbed.

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8. Noncoal Waste

Minor noncoal waste was observed at the 4th East Portal area. Steve picked up the noncoal items during the inspection and placed them in the approved noncoal waste storage container.

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

A portion of the wind fence has come loose and needs to be re-secured. Steve indicated that he would put a crew to work to re-attach the wind fence.