



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

INSPECTION REPORT

Handwritten initials/signature

Michael O. Leavitt Governor
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Partial: X Complete: Exploration:
Inspection Date & Time: 4, 5, 10 & 11 August 1993
Date of Last Inspection: 27 July 1993

Mine Name: Sunnyside Coal Mine County: Carbon Permit Number: ACT/007/007
Permittee and/or Operator's Name: Sunnyside Coal Company (SCC)
Business Address: PO Box 99, Sunnyside, Utah 84539
Type of Mining Activity: Underground X Surface Prep. Plant Other
State Officials(s): Hugh Klein (DOGM)
Company Official(s):
Federal Official(s): Mitch Rollings (OSM)
Weather Conditions: Warm and clear
Existing Acreage: Permitted-14475 Disturbed-310 Regraded-0 Seeded-0 Bonded-310
Increased/Decreased: Permitted- Disturbed- Regraded- Seeded- Bonded-
Status: Exploration/ X Active/ Inactive/ Temporary Cessation/ Bond Forfeiture
Reclamation (Phase I/ Phase II/ Final Bond Release/ Liability Year)

REVIEW OF PERMIT, PERFORMANCE STANDARDS & PERMIT CONDITION REQUIREMENTS

Instructions

- 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 N/A.
b. For partial inspections check only the elements evaluated.
2. Document any noncompliance situation by referencing 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, Division Orders, and amendments.

Table with 5 columns: Item, EVALUATED, N/A, COMMENTS, NOV/ENF. Rows include categories like PERMITS, SIGNS AND MARKERS, TOPSOIL, HYDROLOGIC BALANCE, EXPLOSIVES, DISPOSAL OF EXCESS SPOIL, COAL MINE WASTE, PROTECTION OF FISH, WILDLIFE AND RELATED ENVIRONMENTAL VALUES, SLIDES AND OTHER DAMAGE, CONTEMPORANEOUS RECLAMATION, BACKFILLING AND GRADING, REVEGETATION, SUBSIDENCE CONTROL, CESSATION OF OPERATIONS, ROADS, OTHER TRANSPORTATION FACILITIES, SUPPORT FACILITIES/UTILITY INSTALLATIONS, AVS CHECK, AIR QUALITY PERMIT, BONDING & INSURANCE.

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(Comments are Numbered to Correspond with Topics Listed Above)

1)

In the area adjacent to the south side of the #2 Slurry Pond, a number of coal fine piles were observed. Following this observation, text and maps in the PAP were reviewed in order to find out the designation of this area and how it was permitted. This review of the permit yielded no information (text or maps) showing that the above noted site was permitted for location of coal fines. As such, NOV #93-40-5-9 (2 of 9) was issued, "For failure to conduct coal mining and reclamation operations in accordance with the approved plan. For failing to locate coal fines in accordance with the PAP."

R645-301-527.100 states that, "The plan must classify each road." R645-301-527.110 then states that, "Each road will be classified as either a primary road or ancillary road." Currently, numerous roads in the permit area lack any designation. For this, NOV #93-40-5-9 (5 of 9) was issued, "For failing to classify each road in the PAP." Additional information regarding roads can be found under the roads section of this report.

While inspecting the permit area boundary, three areas, where mining related activities were taking place, were found to be outside the permit area boundary. The Revegetation Test Plot Topsoil Pile, part of the Revegetation Test Plot and part of the outlet diversion of the Pasture Pond are outside the permit area boundary. "For failing to conduct coal mining and reclamation only on lands specifically designated in the permit," NOV #93-40-5-9 (8 of 9) was issued.

3)

Disturbance created by the placement of sediment pond waste adjacent to the Coarse Refuse Toe Sediment Pond (see item 4b below for further discussion) was done without stripping topsoil prior to the disturbance. As such, NOV #93-40-5-9 (7 of 9) was issued, "For failing to separate and segregate topsoil from an area prior to disturbance."

4b)

The Coarse Refuse Toe Sediment Pond was cleaned recently and the material that was removed was placed adjacent to the pond. Disposal of sediment pond waste in such a manner is not in accordance with the approved plan. As a result, NOV #93-40-5-9 (6 of 9) was issued, "For failing to dispose of sediment pond waste in accordance with the approved plan."

4c)

During the course of the inspection, four of the topsoil piles inspected were found to be without sediment control. The piles of concern are as follows: the Rail Cut Topsoil Pile, the Clearwater Topsoil Pile, the Test Plot Topsoil Pile and the Access Road Topsoil Pile. None of the runoff from these topsoil piles report to a sediment pond. In addition, there is nothing in the plan showing that these areas utilize the best technology currently available for sediment

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control. Because of this, NOV #93-40-5-9 (4 of 9) was issued, "For failing to design appropriate sediment control measures that meet the requirements of the State Program."

11)

A portion of the outslope of third lift of the coarse refuse pile and the entire outslope of the fifth lift of the coarse refuse pile have not been reclaimed. Given that it would have been practicable to reclaim these portions of the permit area by now, and that it has not occurred, enforcement action was taken. NOV #93-40-5-9 (1 of 9) was issued "For failure to perform contemporaneous reclamation."

13)

The revegetation test plot is fenced off, however the fence has fallen into a state of disrepair. On at least one occasion, the need to repair this fence has been made apparent by the undersigned to responsible parties. Specific as-builts do exist for this fence and the fence has not been maintained accordingly. "For failing to maintain the fence around the revegetation test plot," NOV #93-40-5-9 (3 of 9) was issued.

16a)

Classification of roads as required by the R645 rules was of concern and resulted in an NOV as discussed above under item 1 of this report. Additionally, surfacing of roads was of concern at the time of inspection. However, because many roads were not classified they had no maintenance plan. The lack of such a plan is not permissible, and is implicitly called for in the abatement requirements of NOV #93-40-5-9 (5 of 9). The remedial action for this NOV requires that all roads must be classified and meet all the requirements of R645-301-527.

19)

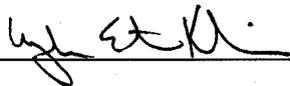
Presently, the permit does not identify all owners and controllers as required by the R645 rules. This is of particular concern, but not limited to, the activities of Savage Brothers within the permit area. As a result, NOV #93-40-5-9 (9 of 9) was issued, "For failure to provide complete and accurate ownership and control information as required by R645-301-100 et seq.

Copy of this Report:

Mailed to: Bernie Freeman & Mitch Rollings (OSM), Gary Gray (SCC)

Given to: Joe Helfrich (DOGM), Henry Sauer (DOGM)

Inspector's Signature: _____



#40 Date: 18 August 1993