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

INSPECTION REPORT

Handwritten initials

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Partial: XX Complete: Exploration:

Inspection Date & Time: 9-20-95/ 10:00a.m.-1:30 p.m.

Date of Last Inspection: 7/13/95

Mine Name: Sunnyside Mine County: Carbon Permit Number: ACT/007/007

Permittee and/or Operator's Name: Ken Rushton, Trustee

Business Address: 99 West Main #202, P.O. Box 212, Lehi, Utah 84043

Type of Mining Activity: Underground Surface Prep. Plant Other XX

Company Official(s):

State Officials(s): Peter Hess Federal Official(s):

Weather Conditions: Partly Cloudy, Cool 60's

Existing Acreage: Permitted- 14475 Disturbed-310 Regraded- Seeded- Bonded- 310

Increased/Decreased: Permitted- Disturbed- Regraded- Seeded- Bonded-

Status: Exploration/ Active/ XX 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: 1. PERMITS, CHANGE, TRANSFER, RENEWAL, SALE; 2. SIGNS AND MARKERS; 3. TOPSOIL; 4. HYDROLOGIC BALANCE; 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 VALUES; 10. SLIDES AND OTHER DAMAGE; 11. CONTEMPORANEOUS RECLAMATION; 12. BACKFILLING AND GRADING; 13. REVEGETATION; 14. SUBSIDENCE CONTROL; 15. CESSATION OF OPERATIONS; 16. ROADS; 17. OTHER TRANSPORTATION FACILITIES; 18. SUPPORT FACILITIES/UTILITY INSTALLATIONS; 19. AVS CHECK (4th Quarter-April, May, June) (date); 20. AIR QUALITY PERMIT; 21. BONDING & INSURANCE.



## INSPECTION REPORT

(Continuation sheet)

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PERMIT NUMBER: ACT/007/007

DATE OF INSPECTION: 9/20/95

(Comments are Numbered to Correspond with Topics Listed Above)

### 2. SIGNS AND MARKERS

The majority of the signs and disturbed area perimeter markers which were in place when the mine shut down are in good repair. A few have been damaged by the scrapping contractors and vandals.

### 3. TOPSOIL

The topsoil pile which is due east of the Manshaft mine water pond, UPDES 001A, contains thick grasses and other vegetation. In this inspectors opinion, the entire site is doing very well with regard to vegetation. Many of the sites roads are being naturally reclaimed.

### 4a. HYDROLOGIC BALANCE: DIVERSIONS

All diversions which were inspected still appear to be functioning as designed. Most have some sediment buildup, but at this time, there is no effect on their individual flow capabilities.

### 4b. HYDROLOGIC BALANCE: SEDIMENT PONDS AND IMPOUNDMENTS

The following sediment ponds were inspected:

- 1) upper #2 canyon pond, UPDES 011.
- 2) lower #2 canyon pond, UPDES 010.
- 3) Whitmore Canyon mine water ponds, #002A and #002B.
- 4) Manshaft mine water pond, #001A.
- 5) Sunnyside surface facilities pond, UPDES #014.

There were no hazards visible at any of the ponds. All ponds were dry with the exception of the surface facilities pond.

### 4c. HYDROLOGIC BALANCE: OTHER SEDIMENT CONTROL MEASURES

Many of the silt fences which were inspected are showing signs of deterioration. Wind damage is the most prevalent; some undercutting is also evident.

### 4d. HYDROLOGICE BALANCE: WATER MONITORING

No water monitoring has been conducted for several months, as all Company personnel have been dissolved. Any previous water monitoring records are unavailable. All records at the site are in shambles.

**INSPECTION REPORT**

(Continuation sheet)

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8. NONCOAL WASTE

The #2 Canyon noncoal waste disposal area is the worst area at the site. Canyon winds continue to scatter the remaining garbage.

Track ties are scattered everywhere. The burial of these at the base of a cut bank is the more economical option here.

9. PROTECTION OF FISH, WILDLIFE AND RELATED ENVIRONMENTAL VALUES

Mr. Ken Rushton, Trustee of the Sunnyside Coal Company property, has contracted JBR Environmental Consultants, Inc. to cleanup and remove the PCB spill which existed in the shop. The following transformers remain in the shop, but these have had a new berm constructed around them:

- 1) GE #C-863030, (containing 490 gallons of oil)
- 2) Westinghouse #3164261, (containing 770 gallons of oil).

Several drums of PCB contaminants remain also. The cement floor which was under the plastic where the spill occurred has been chipped out and removed. JBR has done a quality job here up to this point.

16a. ROADS: CONSTRUCTION/MAINTENANCE/SURFACING

Considering the wet summer that the County has had this year, most of the roads at the site are in reasonable condition. The only exception is the road which exits the west side of the coal stockpile pad. A large deep rut exists here for the entire length of the incline.

Note: This inspection report does not constitute an affidavit of compliance with the regulatory program of the Division of Oil, Gas, and Mining.

Copy of this Report:

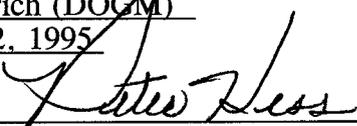
Mailed to: Ken Ruston, SCC Trustee

Bernie Freeman (OSM)

Given to: Joe Helfrich (DOGM)

Filed to: Price Field Office

Date: September 22, 1995

Inspector's Signature:  #46

Peter Hess