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

INSPECTION REPORT

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Partial: XX Complete: Exploration:

Inspection Date & Time: 7-13-95/08:00a.m.-01:00p.m.

Date of Last Inspection: 7-10-95

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: Sunny & Warm

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.



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(Comments are Numbered to Correspond with Topics Listed Above)

### 9. PROTECTION OF FISH, WILDLIFE AND RELATED ENVIRONMENTAL VALUES

Today's inspection was made in the accompaniment of Mr. Jerry Lemon, Mine Safety and Health Administration inspector, MSHA Price Field Office.

The following portals were inspected; comments relating to each follow the site locations.

#### I) OUTCROP FAN FACILITIES AREA

##### A) Dual portals with cement retaining wall entire width of drainage

- 1) in the left hand portal, although dirt has been shoved in the portal, a 24" crawl space allows access to the stopping, which has a wooden door in it. This allows access to the underground workings. **A seal is needed here.**
- 2) in the right hand portal, a solid stopping has been installed; dirt has been pushed into this opening. This seems adequate. The cement retaining wall, (which is the width of the drainage), should be reclaimed and the drainage should be re-established, (although I am not aware of how much flow runs here).

##### B) Outcrop substation, right rear corner against cut bank

- 1) Mr. Lemon informed me that this area had subsided many years ago when the mine was still active. The operator shoved some mine cars in here and backfilled the hole with dirt. This may be hazardous for heavy machinery if the bank is returned to AOC.

##### C) Mine opening behind substation at upper elevation (a trail begins here to get up on West Ridge).

Dirt has been shoved in the hole. The opening does not have a permanent seal. Settling of the dirt is evident (see photo). I believe the best alternative here is to add more dirt, pour a cement cap over that, and then return the area to AOC.

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D) Return escapeway portal (cement bulkhead)

- 1) Backfilled with some dirt
- 2) Can still see stopping which contained a regulator door and a man door, (access to the mine workings could be possible here with minimal work). **A permanent seal is needed here.**

E) Outcrop fan openings

These areas have been backfilled only. According to Mr. Lemon, no seals were installed. This may be adequate if the concrete which shrouded the explosion doors and the fan housing is pulled down over the in-place backfill and the bank is then returned to AOC.

Whoever did the dirtwork gouged big holes wherever they felt like it to obtain the fill.

### II. MAIN MINE PORTAL, SUNNYSIDE NO. 1 MINE

This is the portal which runs under the County road past the main facilities area. Our inspection of this area revealed the following;

It has been backfilled with dirt only. There is a 2" airgap at the top; the mine is exhausting here. An oxygen meter indicated a reading of 20.6% oxygen. Normal air contains 20.9% oxygen. The .3% difference probably indicates that black damp is beginning to build up in the mine. It is this inspectors opinion that this dirt should be pulled back out and an MSHA approved seal installed back under the mountain. This area was concreted for some distance, (approximately 100 feet). The entry should then be backfilled. The County road department should probably be contacted here, as they may have some concerns as to the type of material which will be used in the backfilling. Cracks are evident, as gas was observed bubbling up through the ground in a water puddle just inby the backfill.

### III. #3 MINE PORTALS; TRACK ENTRY, BELT ENTRY, MANWAY ENTRY

According to Mr. Lemon, none of these entries were sealed but only had dirt pushed into them. **Seals are needed here.**

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IV. #2 MINE PORTALS IN #2 CANYON

These entries were all sealed in 1990 while the #1 and #3 mines were operating. Dirt has been pushed into them. The track entry portal has a cut sandstone retaining wall which should be reclaimed.

V. The following air shafts have had cement caps poured on them. Two inch stub pipes for sampling gases have been installed. These will need to be extended to a length of fifteen feet as the areas are returned to AOC, (a fifteen foot length is required by the CFR, Title 30, Part 75.1711-1). This should not be done until grading is started, as the pipes will act as lightning rods otherwise.

- A) The #2 mine fan shaft, located in the upper #2 Canyon.
- B) The Twin Shafts return air shafts in Whitmore Canyon.
- C) The Manshaft intake in Whitmore Canyon.
- D) The Whitmore Fan intake air shaft.
- E) The Whitmore return air shaft.
- F) The #3 Mine fan return air shaft.

This concludes this inspection report.

**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:

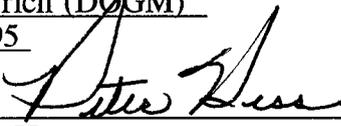
Mailed to: Ken Ruston, SCC Trustee

Bernie Freeman (OSM)

Given to: Joe Helfrich (DOGM)

Filed to: Price Field Office

Date: July 14, 1995

Inspector's Signature:  #46

Peter Hess