0013

State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

INSPECTION REPORT

Partial: X Complete: X Exploration: _
Inspection Date & Time: 3/26&30/95 10:00 am to 4:00pm
Date of Last Inspection: 02/23/95

Mine Name: Sunnyside Mine County: Carbon Permit Number: **ACT/007/007**
Permittee and/or Operator's Name: (Debtor in posession) Robert Burnham
Business Address: 1113 Spruce Street Boulder, Colorado 80302
Type of Mining Activity: Underground X Surface__ Prep. Plant X Other X
State Officials(s): David W. Darby, Reclamation Specialist
Company Official(s): Jim Semborski
Federal Official(s): None
Weather Conditions: Clear sunny day
Existing Acreage: Permitted-310 Disturbed-202 Regraded-_ Seeded-_ Bonded-202
Increased/Decreased: Permitted-_ Disturbed-_ Regraded-_ Seeded-_ Bonded-_
Status: _Exploration/__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.

	EVALUATED	N/A	COMMENTS	NOV/ENF
1. PERMITS, CHANGE, TRANSFER, RENEWAL, SALE	[X]	[ ]	[ ]	[ ]
2. SIGNS AND MARKERS	[X]	[ ]	[ ]	[ ]
3. TOPSOIL	[X]	[ ]	[ ]	[ ]
4. HYDROLOGIC BALANCE:				
a. DIVERSIONS	[X]	[ ]	[X]	[ ]
b. SEDIMENT PONDS AND IMPOUNDMENTS	[X]	[ ]	[X]	[ ]
c. OTHER SEDIMENT CONTROL MEASURES	[X]	[ ]	[ ]	[ ]
d. WATER MONITORING	[X]	[ ]	[ ]	[ ]
e. EFFLUENT LIMITATIONS	[X]	[ ]	[ ]	[ ]
5. EXPLOSIVES	[X]	[ ]	[ ]	[ ]
6. DISPOSAL OF EXCESS SPOIL/FILLS/BENCHES	[X]	[ ]	[ ]	[ ]
7. COAL MINE WASTE/REFUSE PILES/IMPOUNDMENTS	[X]	[ ]	[ ]	[ ]
8. NONCOAL WASTE	[X]	[ ]	[ ]	[ ]
9. PROTECTION OF FISH, WILDLIFE AND RELATED ENVIRONMENTAL VALUES	[X]	[ ]	[ ]	[ ]
10. SLIDES A.ND OTHER DAMAGE	[X]	[ ]	[ ]	[ ]
11. CONTEMPORANEOUS RECLAMATION	[X]	[ ]	[ ]	[ ]
12. BACKFILLING AND GRADING	[X]	[ ]	[ ]	[ ]
13. REVEGETATION	[X]	[ ]	[ ]	[ ]
14. SUBSIDENCE CONTROL	[X]	[ ]	[ ]	[ ]
15. CESSATION OF OPERATIONS	[X]	[ ]	[ ]	[ ]
16. ROADS:				
a. CONSTRUCTION/MAINTENANCE/SURFACING	[X]	[ ]	[ ]	[ ]
b. DRAINAGE CONTROLS	[X]	[ ]	[ ]	[ ]
17. OTHER TRANSPORTATION FACILITIES	[X]	[ ]	[ ]	[ ]
18. SUPPORT FACILITIES/UTILITY INSTALLATIONS	[X]	[ ]	[X]	[ ]
19. AVS CHECK (4th Quarter-April, May, June)_____(date)	[ ]	[X]	[ ]	[ ]
20. AIR QUALITY PERMIT	[X]	[ ]	[ ]	[ ]
21. BONDING & INSURANCE	[X]	[ ]	[ ]	[ ]

INSPECTION REPORT

(Continuation sheet)

PERMIT NUMBER: ACT/015/015 DATE OF INSPECTION: 03/26/95

(Comments are Numbered to Correspond with Topics Listed Above)

1. Permit Change, Transfer, Renewal, Sale

Randy Harden, Joe Helfrich and I conducted ground truthing operations to identify and verify that disturbed areas on the minesite and corresponding locations on the current reclamation maps are identical. The task was only partially completed and will resume on April 12, 1995.

April 15, 1995 is the deadline for Annual Reports summarizing mining activities and environmental issues.

2. Signs and Markers

Identification signs were checked to see that they were properly posted. Every disturbed area was properly identified.

4. Hydrologic Balance

4a. Diversions

All diversions and culverts were checked. Jim Semborski, acting agent for Sunnyside Coal Company (see enclosed letter from Robert Burnham), contracted with EIS to clean debris , especially rocks , from the ditches along the roads in No.2 Canyon and along the road running down the pad from the bathhouse and manshaft.

Most of the disturbed area was dry with some patches of mud due to melted snow. All runoff and sediments were contained on the site. All berms and embankments were intact. Disturbed sites up Whitmore Canyon were now clear of snow. No runoff was detected from any of the sites.

4b. Sedimentation Ponds and Impoundments

All sedimentation ponds were checked for stability and integrity. They all appeared to be functioning well. None of the ponds contained significant volumes of water.

4e. Effluent Limitations

The CoGeneration drilling operation, discussed in the last inspection report, was observed. The plastic foam cover and straw bale/silt fence were removed from the creek bottom. The creek had been cleaned by vacuuming, spraying and then flushed by extra releases from the reservoir. The fine brownish/gray silt could barely be seen on the streambed below the structure.

9. Protection of Fish ,Wildlife and other Related Environmental Values

I contacted the Utah Division of Water Rights to check if CoGen acquired a 404 Permit to conduct operations along Water Canyon that effect the stream channel. The operation (CoGen) allowed runoff from their disturbed area to run down the road and enter the stream where it ran into a filter net placed in the stream. The Price Office of the State Engineer stated that they had granted CoGen a temporary permit that allowed them to work along the creek. Although, CoGen's activities have been determined by the Utah Oil, Gas and Mining Board to be separate from the mining operations, some of the disturbance influenced water resources and surface area within the mine permit area.

Copy of this Report:

Mailed to: Tom Ehmett (OSM), Robert Burnham (SCC)

Given to: Joe Helfrich (DOGM)

Inspector's Signature: David W. Darby # 47 Date: 4-6-95

INSPECTION REPORT

(Continuation sheet)

PERMIT NUMBER: ACT/015/015 DATE OF INSPECTION: 03/26/95

15. Cessation of Operations

Several transformers and drums containing various fluids (oils, fuels and emulsions) remain on site after operations ceased. During the auction several transformers were purchased, but several still remain on the site. As identified and reported by Henry Sauer in previous inspection reports, some of the transformers contain levels of PCBs that require special handling and should be located in areas where exposure and vandalism are minimized.

During Henry's previous inspection with Mr. Jim Semborski, Henry proposed relocation of transformers from No.2 Canyon, sites on the mine pad and sites up Whitmore Canyon to protective storage in some of the warehouse. He also required relocation of some transformers that contained PCB from a warehouse pad that contained a drain system to an area that is protected with no conduits to external sources.

During the Inspection of March 26, Mr Semborski stated that he had contracted with JBR consultants to remove the drums and store the transformers. The area was again checked on March 30 to identify progress in the procedure. The transformers from No. 2 canyon were being moved to a dock adjacent to the warehouse. Transformers from the pad had been moved earlier. The transformers in Whitmore Canyon had not been moved. The drums of fluids up No. 2 Canyon had been reorganized with their removable pending. The drums had been sorted and arranged in the confines of a new berm. Most of the empty drums had been removed.

18. Support Facilities/Utility Installations

Salvage activities were being conducted on the loadout pad and the manshaft/bathhouse pad.

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