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State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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INSPECTION REPORT

Partial:_ Complete: X Exploration:_
Inspection Date & Time: December 28, 1995, 10:30 p.m. - 4:45 p.m.
Date of Last Inspection: November 30, 1995

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, UT 84043
Type of Mining Activity: Underground_ Surface_ Prep. Plant_ Other X
State Officials(s): Ken Wyatt
Company Official(s): None
Federal Official(s): None
Weather Conditions: Cool, Partly Cloudy
Existing Acreage: Permitted- 14475 Disturbed-_ Regraded-_ Seeded-_ Bonded-_
Increased/Decreased: Permitted-_ Disturbed-_ Regraded-_ Seeded-_ Bonded-_
Status: _Exploration/_Active/ X Inactive/_Temporary Cessation/ X 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]	[]	[X]	[]
2.	SIGNS AND MARKERS	[X]	[]	[X]	[]
3.	TOPSOIL	[X]	[]	[]	[]
4.	HYDROLOGIC BALANCE:				
a.	DIVERSIONS	[X]	[]	[X]	[]
b.	SEDIMENT PONDS AND IMPOUNDMENTS	[X]	[]	[X]	[]
c.	OTHER SEDIMENT CONTROL MEASURES	[X]	[]	[X]	[]
d.	WATER MONITORING	[X]	[]	[X]	[]
e.	EFFLUENT LIMITATIONS	[X]	[]	[X]	[]
5.	EXPLOSIVES	[]	[X]	[]	[]
6.	DISPOSAL OF EXCESS SPOIL/FILLS/BENCHES	[]	[X]	[]	[]
7.	COAL MINE WASTE/REFUSE PILES/IMPOUNDMENTS	[]	[X]	[]	[]
8.	NONCOAL WASTE	[X]	[]	[X]	[]
9.	PROTECTION OF FISH, WILDLIFE AND RELATED ENVIRONMENTAL VALUES	[X]	[]	[X]	[]
10.	SLIDES AND OTHER DAMAGE	[]	[X]	[]	[]
11.	CONTEMPORANEOUS RECLAMATION	[]	[X]	[]	[]
12.	BACKFILLING AND GRADING	[]	[X]	[]	[]
13.	REVEGETATION	[]	[X]	[]	[]
14.	SUBSIDENCE CONTROL	[]	[X]	[]	[]
15.	CESSATION OF OPERATIONS	[X]	[]	[X]	[]
16.	ROADS:				
a.	CONSTRUCTION/MAINTENANCE/SURFACING	[X]	[]	[]	[]
b.	DRAINAGE CONTROLS	[X]	[]	[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/007/007 DATE OF INSPECTION: December 28, 1995

(Comments are Numbered to Correspond with Topics Listed Above)

The entire site has not been maintained since the mine closed last summer. Some of the diversions within the permit area are beginning to show signs of erosion from lack of maintenance due to siltation. At this time the site was still functioning.

1. PERMITS, CHANGE, TRANSFER, RENEWAL, SALE
At this time there is no activity at this mine due to the closure and bankruptcy proceedings. No personnel are on site. No records were examined.

2. SIGNS AND MARKERS
The mine ID sign was observed at access points to many of Sunnyside Coal Company's properties.

4a. HYDROLOGIC BALANCE: DIVERSIONS
Diversions within the permit area are still in good repair and function adequately. Some are starting to deteriorate and may need maintenance this spring.

4b. HYDROLOGIC BALANCE: SEDIMENT PONDS AND IMPOUNDMENTS
Inspection of the sediment ponds was performed. Although the Price area has received recent snow and rain the entire site was dry and no water was observed in any of the sediment ponds.

4c. HYDROLOGIC BALANCE: OTHER SEDIMENT CONTROL MEASURES
Some of the silt fences are beginning to deteriorate. These silt fences will probably become ineffective this winter depending on the amount of precipitation received.

4d. HYDROLOGIC BALANCE: WATER MONITORING
Due to the bankruptcy and mine closure no water monitoring has been conducted since June 1995.

4e. HYDROLOGIC BALANCE: EFFLUENT LIMITATIONS
No ponds were discharging. The pumps in the mine have been shut down and the mine is flooding. No mine water has been diverted to the surface since June 1995 Some ice was observed in the sediment pond below the mine site. The water level was .well below the discharge outlet.

8. NONCOAL WASTE
The non-coal waste disposal area remains open. Some trash and garbage was observed scattered throughout the mine site. Many barrels of used oil are stored in the shop building. Among these barrels are 5: 55 gallon drums filled with Methanol and labeled with Hazardous Waste inventory labels. Methanol is considered a hazardous waste due to it's flammability. These drums will need to be disposed of properly during the reclamation process.

Adjacent to the clarifier pond near the wash plant was a dumpster with a hazardous waste label on it. This dumpster was filled with Methanol contaminated soil which was excavated during the removal of the methanol underground tank. This material in essence is probably not considered a hazardous waste since the soil material would probably not burn. On site aeration of these soils to remove the Methanol is being considered for treatment with subsequent burial during the reclamation work.

9. PROTECTION OF FISH, WILDLIFE AND RELATED ENVIRONMENTAL VALUES.
An attempt was made to examine Grassy Trail Creek below the mine site to determine if any downstream impacts were visible. The creek was completely frozen but water was heard below the ice. Upstream in the permit area where the access road to the west property crosses the creek a fair amount of green algae was present. During the SCA drilling, significant amounts of drilling foam and water were released into Grassy Trail Creek. This material contains dispersing agents which typically contain Phosphorous. Excess Phosphorous could enhance algal growth in the stream.

INSPECTION REPORT

(Continuation sheet)

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9. I discussed this with Mike Herkimer of the Division of Water Quality. He indicated that his agency sampled Grassy Trail Creek during the SCA drilling problems last year. Data from that sampling did not show high levels of phosphorous or other nutrients in excess of background levels. He thought that some of the algae growth could have resulted from the stream bed cleaning that was conducted by SCA as mitigation for their discharges. The stream banks and sediments were probably disturbed during this cleaning which could have released nutrients into the creek.

15. CESSATION OF OPERATIONS
The lower gate near the coal stockpile had been pulled apart with chains and a vehicle. Evidence of trespass was observed. ATVs have been using the site for recreation. Some tracks were observed adjacent to the old coal stock pile. Some of these tracks appeared to have come very close to driving over an abrupt edge which would have been a 10 - 15 foot fall. During this inspection, ATVs were observed using the road that accesses the SCA property. Additionally, the lock to the Manshaft gate had been partially cut using bolt cutters. Pete Hess, Engineer at the Division's Price field office was informed of this problem during the first week of January 1995. On Thursday January 4th Mr. Hess called to inform the Salt Lake Office that he had replaced the lock at the Manshaft gate and that he had re-installed the lower gate and chained a new lock in place. This will deter trespass for a short period. Mr. Hess also contacted the East Carbon City Mayor, Mr. Paul Clark, to inform him of the Division's concern over liability. Mr. Clark stated that he would inform the local sheriff to conduct additional patrols of the area.

16b. ROADS: DRAINAGE CONTROLS
Several of the diversions associated with the roads are beginning to show wear. Several of the silt fences up Number Two Canyon along the road have been undercut, eroded around the ends and piping was observed at one.

18 SUPPORT FACILITIES/UTILITY INSTALLATIONS
The water mains within the bath house building appear to have been left filled with water which has frozen and broken several pipes. Several offices and other places in the building are flooding as a result of the broken water pipes.

The access gate to the West property was open. Recent vehicle access was observed by the tracks in the snow. The road which accesses Water Canyon was locked at the SCA gate adjacent to the Old Coarse Refuse Road Pond. ATV tracks were observed circumventing the gate.

Copy of this Report:
Mailed to: Ken Rushton, SCC Trustee James Fulton, OSM WRCC
Given to: Joe Helfrich, (DOGM) Filed to: Price Field Office

Inspector's Signature: Ken Wyatt Date: January 9, 1996