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# State of Utah

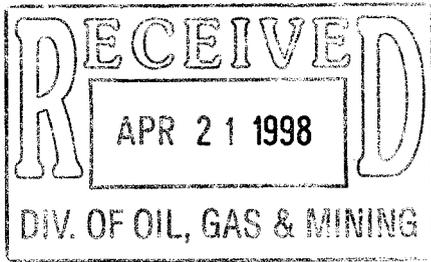
## DEPARTMENT OF ENVIRONMENTAL QUALITY DIVISION OF WATER QUALITY

Michael O. Leavitt  
Governor  
Dianne R. Nielson, Ph.D.  
Executive Director  
Don A. Ostler, P.E.  
Director

288 North 1460 West  
P.O. Box 144870  
Salt Lake City, Utah 84114-4870  
(801) 538-6146  
(801) 538-6016 Fax  
(801) 536-4414 T.D.D.  
www.deq.state.ut.us Web

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April 20, 1998



Mr. Claude Dahlk  
JBR Environmental Consultants, Inc.  
c/o Sunnyside Coal Mine  
8160 South Highland Drive  
Sandy, Utah 84093

*Copy Landy H.  
ACT/00/007 #2*

Dear Claude:

Subject: Compliance Evaluation Inspection UT0022942

As a result of my visits to Sunnyside Coal Company on March 30, April 1 and April 6, a Compliance Evaluation Inspection was completed. I have attached an inspection report indicating a Summary of Findings/Comments. No UPDES permit deficiencies were noted during the inspection.

Please review the inspection report. If you have any questions or comments, give me a call at (801) 538-6058.

Sincerely,

Michael D. Herkimer, Environmental Scientist  
Permits & Compliance Section

MDH:ja

Enclosures (2)

- cc: Kenneth Rushton, Trustee for Sunnyside Coal Company (w/encl)
- Donna Inman, EPA Region VIII (w/encl)
- Claron Bjork, Southeast District Health Dept. (w/encl)
- Dave Ariotti, District Engineer (w/encl)
- DOGM, Utah Coal Regulatory Program (w/encl)
- Scott Anderson, Division of Solid and Hazardous Waste

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**Compliance Evaluation Inspection  
Sunnyside Coal Company  
March 30, April 1 & April 6, 1998  
UT0022942**

Sunnyside Coal Company declared bankruptcy in May of 1994. There has been no discharge since that time. The Trustee, Mr. Kenneth Rushton, has hired JBR to visit the site monthly to observe each discharge point and take samples if necessary. Mr. Claude Dahlk of JBR had done the routine monthly inspections for JBR. On April 1, 1998 each discharge pond except for 006 (manshaft sediment pond) were observed and none even had water in the bottom. The 006 discharge pond was not observed because of access problems due to wet weather conditions. The sedimentation ponds observed appeared to be in good condition structurally. This on-site inspection revealed a garage near the torn down coal processing facility which had been vandalized. Inside the facility were approximately 9-12, two to three gallon containers of a liquid substance. It is not know what was in the containers, but labels on some of the containers read "harmful or fatal if swallowed".

On April 6, 1998, Claude Dahlk and Mark James, after being notified of the material in the garage, containerized the material into three 55-gallon drums and secured the garage. Mr. Claude Dahlk and the compliance inspector also visited are the sedimentation ponds and observed no discharge of wastewater.

In summary, the existing sedimentation ponds appear in good condition and able to properly function. No discharges were even close to occurring and the material discovered on-site was bulked, stored and secured on-site. It appears that Sunnyside Coal Company is in compliance with its UPDES permit requirements.