0035

STATE OF UTAH
NATURAL RESOURCES
Division of Oil, Gas & Mining
3 Triad Center · Suite 350 · Salt Lake City, UT 84180-1203 · (801) 538-5340

inspection report

☑ Partial
☐ Complete
☐ Exploration

Inspection Date: October 18, 1993
Time: 2 : 00 ☐am ☑pm to 5 : 30 ☐am ☑pm
Date of Last Inspection: 9/14-15/93

Mine Name: Sunnyside Refuse & Slurry County: Carbon Permit Number: Act 007/035
Permittee and/or Operator's Name: Sunnyside Cogeneration Associates
Business Address: P.O. Box 58087, Salt Lake City, Ut 84158-0087
Type of Mining Activity: ☐ Underground ☑ Surface ☐ Prep. Plant ☐ Other
State Officials(s): Bill Malencik
Company Official(s): NONE - CONSULANTS - Jim Comas, Allan Adkins
Federal Official(s): NA
Weather Conditions: Cloudy/raining
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	☐	☐	☐	☐
2. SIGNS AND MARKERS	☑	☐	☐	☐
3. TOPSOIL	☐	☐	☐	☐
4. HYDROLOGIC BALANCE:				
a. DIVERSIONS	☑	☐	☐	☐
b. SEDIMENT PONDS AND IMPOUNDMENTS	☐	☐	☐	☐
c. OTHER SEDIMENT CONTROL MEASURES	☐	☐	☐	☐
d. WATER MONITORING	☐	☐	☐	☐
e. EFFLUENT LIMITATIONS	☐	☐	☐	☐
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:				
a. CONSTRUCTION/MAINTENANCE/SURFACING	☑	☐	☐	☐
b. DRAINAGE CONTROLS	☐	☐	☐	☐
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	☐	☐	☐	☐
22. AMW Fees	☑	☐	☑	☑

UTAH NATURAL RESOURCES
Oil, Gas & Mining

INSPECTION REPORT COMMENTS

Permit No. Act 007/035

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Please number comments to correspond with topics on previous page.

General Comments. Jim Comas represented the operator on this inspection.

Outstanding Violation Of Record. According to information in my possession the following violations have not been terminated:

N-93-40-05-09 #1	Issued 8/17/93	Abatement Date 10/15/93		- Contemp Reclamation
" " " " #2	" " " "	" "	" " "	- Unauth. Coal Material
" " " " #4	" " " "	" "	" " "	Sed. Control Design
" " " " #5	" " " "	" "	" " "	Road Classification
" " " " #7	" " " "	" "	" " "	Topsoil Protection
" " " " #8	" " " "	" "	" " "	Unauthorized Coal Material
" " " " #9	" " " "	" "	" " "	AVS Information
" " " 06-04 #4	" 9/15/93	" "	" " "	Unauthorized Material Handling
" 26 03-01-1	" 9/28/93	" "	10/28/93	Records

As a result of the current information in my possession, I issued violation N93-26-4-1 for failure to pay all reclamation fees required for coal produced under permit for sale, transfer, or use pursuant to surface coal mining. The regulation requiring such payment can be found in the Utah Coal Mining Regulations, paragraph R645-300-147.

Copy of report mailed to _____

Copy of report given to _____

Inspector's signature _____ No. _____

WHITE – DOGM YELLOW – OSM PINK – PERMITTEE/OPERATOR GOLDENROD – NOV FILE

INSPECTION REPORT COMMENTS

Permit No. Act/007/035

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Furthermore, was advised by Roy E. Morris, Chief Division of Financial Management, Office of Surface Mining, USDI, that "The company has not paid reclamation fees." A copy of his letter was attached to each copy of the NOV.

The abatement measures are as follows:

- Pay all past due reclamation fees and comply with requirements detailed in 30CFR, Part 870
- Maintain required records on AML fees at the mine site with the instant failure to pay all fees.

The abatement date is October 28, 1993 1p.m.

Style Of Operation. In my opinion many of the problems are a manifestation of an organization with several distinct parts, but no one responsible on site to direct, manage and control the parts. Furthermore, some if not all the parts have clear responsibilities, but very limited authority. Also, since the operation is new and, now that operations are underway, it appears no one has looked into overlaps and gaps. While this is not my direct concern, its obvious that someone has to be in charge. In a spirit of cooperation

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suggested the Director communicate the foregoing perceptions to Co-Gen management, in addition to others.

Refuse Pile. Observed the refuse pile and concentrated on two areas.

Area 1 - Two coal/refuse returned piles, that were the subject of NOV N93-40-07-01, issued 9/15/93 with an abatement date of 10/15/93 were in substance the same as reported in the inspection report of 9/28/93. No coal or refuse was returned from the large windrow pile; about half of the material was removed from the smaller pile. The operator representative had prepared a letter requesting an extension which was the subject of a discussion on the merits for granting an extension. The Division granted an extension on 10/15/93.

Area 2. Observed the road on the SE side of the refuse pile that is involved in the NOV. The issue concerns acid & toxic material used as road base/road berm. Most of the coal/refuse appears to have been downcasted in the construction of the MSHA road berm. The berm was constructed from

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refuse. The drainage from the road reports to a sediment pond. The outslope of the road does not have any treatment, and as such, this issue is assumed to be incorporated in the aforementioned road NOV. The rational removing acid and toxic material includes the road and the outslopes. It appears more material is located on the outslopes than on the road.

No material from the crusher was being transported to the refuse pile during the inspection.

Roads. The roads were watered for dust suppression. Also recent rains of a repetitive nature have hit the mine site.

Copy of report mailed to SCA/David Pearce; OSM/Marcia Petta; DOGM/Joe Helfrich

Copy of report ~~given to~~ filed PFO

Inspector's signature [signature] No. 26

WHITE – DOGM YELLOW – OSM PINK – PERMITTEE/OPERATOR GOLDENROD – NOV FILE

10/22