



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

INSPECTION REPORT

5/24 JH

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)

Partial: Complete: Exploration:
Inspection Date & Time: 14 & 15 September 1993
Date of Last Inspection: 4, 5, 10 & 11 August 1993

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, Utah 84158-0087
Type of Mining Activity: Underground Surface Prep. Plant Other
Company Official(s): Allen Adkins (Parsons-Main)
State Official(s): Hugh Klein & William Malencik (DOGM)
Federal Official(s): _____
Weather Conditions: Cool and clear
Existing Acreage: Permitted-310 Disturbed-202 Regraded-____ Seeded-____ Bonded-____
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

- Substantiate the elements on this inspection by checking the appropriate performance standard.
 - 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.
 - For partial inspections check only the elements evaluated.
- Document any noncompliance situation by referencing the NOV issued at the appropriate performance standard listed below.
- Reference any narratives written in conjunction with this inspection at the appropriate performance standard listed below.
- 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	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
2. SIGNS AND MARKERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. TOPSOIL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. HYDROLOGIC BALANCE:				
a. DIVERSIONS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. SEDIMENT PONDS AND IMPOUNDMENTS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. OTHER SEDIMENT CONTROL MEASURES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. WATER MONITORING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. EFFLUENT LIMITATIONS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. EXPLOSIVES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. DISPOSAL OF EXCESS SPOIL/FILLS/BENCHES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. COAL MINE WASTE/REFUSE PILES/IMPOUNDMENTS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
8. NONCOAL WASTE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. PROTECTION OF FISH, WILDLIFE AND RELATED ENVIRONMENTAL VALUES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. SLIDES AND OTHER DAMAGE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. CONTEMPORANEOUS RECLAMATION	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. BACKFILLING AND GRADING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. REVEGETATION	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. SUBSIDENCE CONTROL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. CESSATION OF OPERATIONS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. ROADS:				
a. CONSTRUCTION/MAINTENANCE/SURFACING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
b. DRAINAGE CONTROLS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. OTHER TRANSPORTATION FACILITIES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. SUPPORT FACILITIES/UTILITY INSTALLATIONS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. AVS CHECK (4th Quarter-April, May, June) _____ (date)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. AIR QUALITY PERMIT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. BONDING & INSURANCE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

INSPECTION REPORT

(Continuation sheet)

Page 2 of 2

PERMIT NUMBER: ACT/007/035

DATE OF INSPECTION: 14 & 15 September 1993

(Comments are Numbered to Correspond with Topics Listed Above)

1)

At the time of the inspection, the July UPDES DMR'S were not found at the mine site. For this NOV#93-40-6-4 #1 was issued.

During the inspection, it became apparent that coal and/or coal refuse from the adjacent cogeneration facility was being returned to the refuse pile. The plan contains no provision for such an activity, so NOV#93-40-6-4 #4 was issued.

7)

The PAP commits to monitor the piezometers in the embankment of the East Slurry Cell, when water is present in the cell. Water was observed in the cell during the inspection, yet there was no record of monitoring. As a result, NOV#93-40-6-4 #4 was issued.

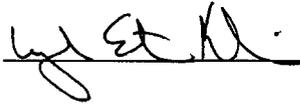
16a)

In accordance with an Approval Order from the Department of Environmental Quality, the Division of Environmental Health, dated 8 March 1991, all unpaved roads are to be watered. Only the haul road to the refuse pile was observed to have been or was being watered. For this, NOV#93-40-6-4 part 2 was issued.

Copy of this Report:

Mailed to: Bernie Freeman (OSM), David Pearce (SCC)

Given to: Joe Helfrich (DOGM),

Inspector's Signature: 

#40 Date: 17 September 1993

Folder # 5
ACT/007/035

oms TDD NB (KPA)
28 9/20/93 cc JLN, Sch, Sws fib Tdd NB

UNITED STATES DEPARTMENT OF THE INTERIOR Office of Surface Mining Reclamation and Enforcement TEN-DAY NOTICE	Originating Office: O.S.M. 505 Marquette NW, Suite 1200 Albg. NM 87102
	Telephone Number: 505-766-1486

Number: X-93 - 020 - 370 - 003 TV 1

Ten-Day Notice to the State of Utah

You are notified that, as a result of a federal inspection (e.g. a federal inspection, citizen information, etc.) the Secretary has reason to believe that the person described below is in violation of the Act or a permit condition required by the Act. If the State Regulatory Authority fails within ten days after receipt of this notice to take appropriate action to cause the violation(s) described herein to be corrected, or to show cause for such failure and transmit notice of your action to the Secretary through the originating office designated above, then a Federal inspection of the surface coal mining operation at which the alleged violation(s) is occurring will be conducted and appropriate enforcement action as required by Section 521(a)(1) of the Act will be taken.

Permittee: <u>Sunnyside Cogeneration Assoc</u> <small>(Or Operator if No Permit)</small>	County: <u>Carbon</u>	<input checked="" type="checkbox"/> Surface
Mailing Address: <u>P.O. Box 58087, Salt Lake City UT 84158-0087</u>	Mine Name: <u>Sunnyside Refuse + Sherry</u>	<input type="checkbox"/> Underground
Permit Number: <u>ACT/007/035</u>		<input type="checkbox"/> Other

NATURE OF VIOLATION AND LOCATION: Failure to bury and for treat acid - toxic forming materials. Improper placement of coal mine waste. The old coarse refuse pile road.

Section of State Law, Regulation or Permit 645-301-528.320
 Condition believed to have been violated: 645-301-731.300

NATURE OF VIOLATION AND LOCATION: _____

Section of State Law, Regulation or Permit _____
 Condition believed to have been violated: _____

NATURE OF VIOLATION AND LOCATION: _____

Section of State Law, Regulation or Permit _____
 Condition believed to have been violated: _____

Remarks or Recommendations: _____

Date of Notice: 9/13/93

CERTIFIED RETURN RECEIPT #P 965 799 409

Signature of Authorized Rep.: [Signature]
 Print Name and ID: MITCHELL S. ROLLINGS 370

RECEIVED
SEP 20 1993

DIVISION OF
GAS & MINING



U. S. DEPT. OF THE INTERIOR

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

Mine-Site Evaluation Inspection Report



<p>1. Permittee/Person SUNNYSIDE COGENERATION ASSOCIATES</p> <p>2. Address P.O. BOX 58087</p> <p>3. City SALT LAKE CITY</p> <p>4. State UT</p> <p>5. Zip Code 84158 - 0087</p> <p>6. Phone Number 801-888-4476</p> <p>7. Operator if Different than Permittee SAVAGE INDUSTRIES</p> <p>8. Mine Name SUNNYSIDE REFUSE & S</p>	<p>9. Permit Number UT-007-035</p> <p>10. Type a. Permit PP b. RA S</p> <p>11. Inspection Date 08/11/93 <small>MM - DD - YY</small></p> <p>12. Inspection Type C</p> <p>13. Joint Inspection Y Y/N</p> <p>14. Permit Status A</p> <p>15. Site Status AP</p> <p>16. Facility Type A</p> <p>17. OSM Office # 020</p> <p>18. RSI # </p> <p>19. Land Code S</p> <p>20. M.S.H.A. ID # 42-01813</p> <p>21. State Code 49</p> <p>22. County Code 007</p> <p>23. AVS Permittee Entity ID Number 128991</p> <p>23b. State Office </p>
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24. Performance Standard Categories

Codes: 1=Compliance, 2=Noncompliance, 3=Not Planned, 4=Not Started, 5=Noncompliance Identified Elsewhere

<p>A. Administrative</p> <p>1. <u>2</u> Mining within Valid Permit</p> <p>2. <u>5</u> Mining within Bonded Area</p> <p>3. <u>2</u> Terms & Conditions of Permit</p> <p>4. <u>1</u> Liability Insurance</p> <p>5. <u>2</u> Ownership and Control</p> <p>6. <u>3</u> Temporary Cessation</p> <p>B. Hydrologic Balance</p> <p>1. <u>2</u> Drainage Control</p> <p>2. <u>1</u> Inspections & Certifications</p> <p>3. <u>2</u> Siltation Structures</p> <p>4. <u>1</u> Discharge Structures</p> <p>5. <u>5</u> Diversions</p> <p>6. <u>1</u> Effluent Limits</p> <p>7. <u>1</u> Ground Water Monitoring</p> <p>8. <u>1</u> Surface Water Monitoring</p> <p>9. <u>2</u> Drainage -- Acid-Toxic Materials</p> <p>10. <u>5</u> Impoundments</p> <p>11. <u>1</u> Stream Buffer Zones</p> <p>C. Topsoil & Subsoil</p> <p>1. <u>2</u> Removal</p> <p>2. <u>4</u> Substitute Materials</p> <p>3. <u>1</u> Storage and Protection</p> <p>4. <u>5</u> Redistribution</p>	<p>D. Backfilling & Grading</p> <p>1. <u>3</u> Exposed Openings</p> <p>2. <u>2</u> Contemporaneous Reclamation</p> <p>3. <u>4</u> Approximate Original Contour</p> <p>4. <u>3</u> Highwall Elimination</p> <p>5. <u>3</u> Steep Slopes (includes downslope)</p> <p>6. <u>5</u> Handling of Acid & Toxic Materials</p> <p>7. <u>1</u> Stabilization (rills and gullies)</p> <p>E. Excess Spoil Disposal</p> <p>1. <u>3</u> Placement</p> <p>2. <u>3</u> Drainage Control</p> <p>3. <u>3</u> Surface Stabilization</p> <p>4. <u>3</u> Inspections & Certifications</p> <p>F. Coal Mine Waste (Refuse Piles/Impoundments)</p> <p>1. <u>1</u> Drainage Control</p> <p>2. <u>5</u> Surface Stabilization</p> <p>3. <u>1</u> Placement</p> <p>4. <u>1</u> Inspections and Certifications</p> <p>5. <u>1</u> Impounding Structures</p> <p>G. Use of Explosives</p> <p>1. <u>3</u> Blaster Certification</p> <p>2. <u>3</u> Distance Prohibitions</p> <p>3. <u>3</u> Blast Survey/Schedule</p> <p>4. <u>3</u> Warnings & Records</p> <p>5. <u>3</u> Control of Adverse Effects</p>	<p>H. <u>3</u> Subsidence Control Plan</p> <p>I. Roads</p> <p>1. <u>1</u> Road Construction</p> <p>2. <u>1</u> Certification</p> <p>3. <u>5</u> Drainage</p> <p>4. <u>5</u> Surfacing and Maintenance</p> <p>5. <u>4</u> Reclamation</p> <p>J. Signs & Markers</p> <p>1. <u>1</u> Signs</p> <p>2. <u>1</u> Markers</p> <p>K. <u>1</u> Distance Prohibitions</p> <p>L. Revegetation</p> <p>1. <u>4</u> Vegetative Cover</p> <p>2. <u>4</u> Timing</p> <p>M. <u>4</u> Postmining Land Use</p> <p>N. Other</p> <p><u>2</u> 1) <u>REVEG. TEST PLOT FENCE</u></p> <p><u>2</u> 2) <u>ROAD CLASS & DESIGN</u></p> <p><u>3</u>) _____</p>
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<p>25. Inspection Frequency</p> <p>a. Date of Last State Complete Inspection 03/31/93</p> <p>Frequency for previous 4 Calendar Qtrs.</p> <p>b. Number of required complete inspections 2 Number of complete inspections conducted 1</p> <p>c. Number of required partial inspections 3 Number of partial inspections conducted 3</p>	<p>26. Inspection Hours</p> <p>16.0 a. Permit Review</p> <p>32.0 b. Inspection Time</p> <p>20.0 c. Travel Time</p> <p>12.0 d. Report Writing</p>	<p>27. Bonded Acres</p> <p>0.0 a. Total bonded</p> <p>0.0 b. Phase I released</p> <p>0.0 c. Phase II released</p> <p>0.0 d. Phase III released</p>	<p>28. Acres</p> <p>319.0 a. Permitted</p> <p>202.0 b. Disturbed (Estimated)</p>
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U. S. DEPT. OF THE INTERIOR

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

Mine-Site Evaluation Inspection Report

 Permit Number UT-007-035

 Inspection Date 08/11/93

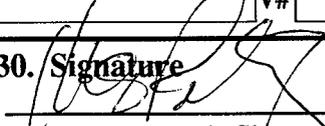
29. Identified Violation Data.

For inspection types C (Complete Random Sample) and SC or SP (Complete or Partial In-depth Review), list all violations present during the current Federal inspection and all violations, cited or uncited, identified in the last State complete inspection report. For any other inspection type, including Federal program inspections, list only violations observed during the current inspection or subject of current Federal follow-up actions.

B Per. Std. Category	C Abated (Y/N)	D State Action	E Reason if Uncited	F Cause	G Seriousness		I OSM Action	J OSM Action Number	K Optional	
					PEO	Impact				
A. Specific State Law/Regulations Violated: <u>300-112.400, 300-141</u> Description: <u>DISTURBANCE OFF THE PERMIT AREA</u>										
1	<input type="checkbox"/> A1	<input type="checkbox"/> N	<input type="checkbox"/> 4	<input type="checkbox"/>	<input type="checkbox"/> 5	<input type="checkbox"/> 1	<input type="checkbox"/> 4	<input type="checkbox"/> 2	<input type="checkbox"/> X93-020-370-002 V# <input type="checkbox"/> 01	<input type="checkbox"/>
A. Specific State Law/Regulations Violated: <u>301-352</u> Description: <u>CONT. RECL, UT NOV 93-40-5-9, 1 OF 9</u>										
2	<input type="checkbox"/> D2	<input type="checkbox"/> N	<input type="checkbox"/> 2	<input type="checkbox"/>	<input type="checkbox"/> 5	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 1	<input type="checkbox"/>	<input type="checkbox"/>
A. Specific State Law/Regulations Violated: <u>300-142</u> Description: <u>T&C, MINING AREA, UT NOV 93-40-5-9, 2 OF 9</u>										
3	<input type="checkbox"/> A3	<input type="checkbox"/> N	<input type="checkbox"/> 4	<input type="checkbox"/>	<input type="checkbox"/> 4	<input type="checkbox"/> 1	<input type="checkbox"/> 1	<input type="checkbox"/> 1	<input type="checkbox"/>	<input type="checkbox"/>
A. Specific State Law/Regulations Violated: <u>300-142</u> Description: <u>REVEG. TEST PLOT FENCE, UT NOV 93-40-5-9.</u>										
4	<input type="checkbox"/> N2	<input type="checkbox"/> N	<input type="checkbox"/> 4	<input type="checkbox"/>	<input type="checkbox"/> 4	<input type="checkbox"/> 1	<input type="checkbox"/> 1	<input type="checkbox"/> 1	<input type="checkbox"/>	<input type="checkbox"/>
A. Specific State Law/Regulations Violated: <u>301-742.110 - 113</u> Description: <u>SED. CONF. MEAS., UT NOV 93-40-5-9, 4 OF 9</u>										
5	<input type="checkbox"/> B1	<input type="checkbox"/> N	<input type="checkbox"/> 2	<input type="checkbox"/>	<input type="checkbox"/> 4	<input type="checkbox"/> 1	<input type="checkbox"/> 1	<input type="checkbox"/> 1	<input type="checkbox"/>	<input type="checkbox"/>
A. Specific State Law/Regulations Violated: <u>301-527.100</u> Description: <u>ROAD CLASS, UT NOV 93-40-5-9, 5 OF 9</u>										
6	<input type="checkbox"/> N2	<input type="checkbox"/> N	<input type="checkbox"/> 2	<input type="checkbox"/>	<input type="checkbox"/> 4	<input type="checkbox"/> 1	<input type="checkbox"/> 2	<input type="checkbox"/> 1	<input type="checkbox"/>	<input type="checkbox"/>
A. Specific State Law/Regulations Violated: <u>300-142</u> Description: <u>SED POND CLEAN-OUT PLACE., UT NOV 93-40-5-</u>										
7	<input type="checkbox"/> B3	<input type="checkbox"/> N	<input type="checkbox"/> 4	<input type="checkbox"/>	<input type="checkbox"/> 4	<input type="checkbox"/> 1	<input type="checkbox"/> 1	<input type="checkbox"/> 1	<input type="checkbox"/>	<input type="checkbox"/>

- | | | | |
|--|---|--|--|
| D. State Action
1) Existed on LSCI, Cited
2) Existed on LSCI, Not Cited
3) Cited Prior to LSCI, Abatement Pending
4) Occurred Since LSCI
5) N/A Federal Program
6) N/A Permit Defect | E. State's Reason for not Citing Violation
1) Not a Violation
2) Precluded by State Policy
3) Not Included under State Program
4) Warning Given in Lieu of a Citation
5) Violation Not Recognized
6) Practice Allowed under Approved Permit
7) Too Minor to Cite
8) Working with Operator to Correct
9) Other | F. Cause
1) Permit Defect
2) Unusual Weather Conditions
3) Unofficial Waiver
4) Operator Negligence
5) Other | G. Probability of Event Occurrence
1) None or Unlikely
2) Likely
3) Occurred |
| H. Impact
Damage Remains Within the Permit Area
1) None or Minor
2) Moderate
3) Considerable
Damage Extends Beyond the Permit Area
4) None or Minor
5) Moderate
6) Considerable
Obstruction to Enforcement
7) None or Minor
8) Moderate
9) Considerable | | | |
| I. OSM Action This Inspection
1) Deferred to State Action
2) TDN Issued
3) NOV Issued
4) FTA-CO Issued
5) IH-CO Issued (Imminent Environmental Harm)
6) ID-CO Issued (Imminent Danger to Public)
7) Previously Cited by RA, Abatement Pending
8) Abated during or before OSM Inspection
9) Follow-up of Federal Action | | | |

30. Signature



Inspector's Signature

MITCHELL ROLLINGS

Inspector's Printed Name

31. OSM Inspector ID#

Dated: 09/14/93 370

Reviewing Official: _____

Review Date:

Page 2 of _____

Revised July 1, 1993

U. S. DEPT. OF THE INTERIOR

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

Mine-Site Evaluation Inspection Report

 Permit Number UT-007-035

 Inspection Date 08/11/93

29. Identified Violation Data.

For inspection types C (Complete Random Sample) and SC or SP (Complete or Partial In-depth Review), list all violations present during the current Federal inspection and all violations, cited or uncited, identified in the last State complete inspection report. For any other inspection type, including Federal program inspections, list only violations observed during the current inspection or subject of current Federal follow-up actions.

B Per. Std. Category	C Abated (Y/N)	D State Action	E Reason if Uncited	F Cause	G Seriousness		I OSM Action	J OSM Action Number		K Optional
					PEO	Impact			V#	
A. Specific State Law/Regulations Violated: <u>301-232.100</u> Description: <u>TOPSOIL REMOVAL, UT NOV 93-40-5-9, 7 OF 9.</u>										
8	C1	N	4		4	1	1	1		
A. Specific State Law/Regulations Violated: <u>300-141</u> Description: <u>OFF PERMIT AREA, UT NOV 93-40-5-9, 8 OF 9.</u>										
9	A1	N	2		4	1	1	1		
A. Specific State Law/Regulations Violated: <u>301-100</u> Description: <u>OWN & CONTROL, UT NOV 93-40-5-9, 9 OF 9.</u>										
10	A5	N	2		4	1	1	1		
A. Specific State Law/Regulations Violated: <u>301-528.320, 731.300</u> Description: <u>ACID & TOXIC MATERIALS</u>										
11	B9	N	2	*	5	2	3	2	X93-020-370-003	01
A. Specific State Law/Regulations Violated: _____ Description: _____										
12										
A. Specific State Law/Regulations Violated: _____ Description: _____										
13										
A. Specific State Law/Regulations Violated: _____ Description: _____										
14										

D. State Action

- 1) Existed on LSCI, Cited
- 2) Existed on LSCI, Not Cited
- 3) Cited Prior to LSCI, Abatement Pending
- 4) Occurred Since LSCI
- 5) N/A Federal Program
- 6) N/A Permit Defect

E. State's Reason for not Citing Violation

- 1) Not a Violation
- 2) Precluded by State Policy
- 3) Not Included under State Program
- 4) Warning Given in Lieu of a Citation
- 5) Violation Not Recognized
- 6) Practice Allowed under Approved Permit
- 7) Too Minor to Cite
- 8) Working with Operator to Correct
- 9) Other _____

F. Cause

- 1) Permit Defect
- 2) Unusual Weather Conditions
- 3) Unofficial Waiver
- 4) Operator Negligence
- 5) Other _____

G. Probability of Event Occurrence

- 1) None or Unlikely
- 2) Likely
- 3) Occurred

H. Impact

Damage Remains Within the Permit Area

- 1) None or Minor
- 2) Moderate
- 3) Considerable

Damage Extends Beyond the Permit Area

- 4) None or Minor
- 5) Moderate
- 6) Considerable

Obstruction to Enforcement

- 7) None or Minor
- 8) Moderate
- 9) Considerable

I. OSM Action This Inspection

- 1) Deferred to State Action
- 2) TDN Issued
- 3) NOV Issued
- 4) FTA-CO Issued
- 5) IH-CO Issued (Imminent Environmental Harm)
- 6) ID-CO Issued (Imminent Danger to Public)
- 7) Previously Cited by RA, Abatement Pending
- 8) Abated during or before OSM Inspection
- 9) Follow-up of Federal Action

30. Signature

Inspector's Signature

MITCHELL ROLLINGS

Inspector's Printed Name 31. OSM
Inspector
ID#

Dated: 09/03/93

370

Reviewing Official: _____

Review Date: 9/14/93

Page 3 of _____

Sunnyside Cogeneration Associates, Inc. (SCA)
P.O. Box 58087
Salt Lake City, UT 84158-0087
801-888-4476

ACT/007/035
Sunnyside Refuse & Slurry

8/11/93

Complete inspection - this is a supplemental report to the previous report written 9/3/93. The inspection date is the same.

Mitchell S. Rollings, 370, OSM
Hugh Klein, DOGM
Jim Comas, EWP Engineering
(representing SCA)

Four soil samples of the old coarse refuse road material were taken during the inspection of 8/11/93. The samples were placed in sample bags and sealed with evidence tape to ensure there would be no tampering prior to testing. The sample bags were kept locked up until they were taken to Assaigai Analytical Laboratories in Albuquerque, NM. Results of the samples were received on 9/8/93.

The nature of the violation briefly stated on the enclosed TDN is twofold. First, the material used to construct the road is coal mine waste and the permit does not contain approval to dispose of the waste in this manner. Second, the material is acid- and/or toxic-forming in nature. Additional problems with the use of this material are that a part of the road (therefore the acid- and/or toxic forming material) is outside of any treatment structure such as a pond, the eroded material is being washed down on what appears to be an undisturbed area, the area does not appear to have had all of the available topsoil removed prior to placement of the coal mine waste, vegetation has not been established on the steep slopes, etc.

TDN 93-020-370-003, TV1, is being issued to the state of Utah on the SCA operation for this violation. Sunnyside Coal Co., also has this same area under permit, so TDN 93-020-370-004, TV1, is being issued to the state of Utah for that company too.