

### Document Information Form

Mine Number: C/007/035

File Name: Incoming

To: DOGM

**From:**

Person N/A

Company United States Department of the Interior

Date Sent: July 14, 1994

**Explanation:**

Vacation or termination of Notice of Violation or  
Cessation Order

cc:

File in: C/007, 035, Incoming

Refer to:

- Confidential
- Shelf
- Expandable

Date \_\_\_\_\_ For additional information

cc JWL Jost  
 JPB  
 PLS  
 orig. *[initials]*  
 07/35 7-14-94

**U.S. DEPARTMENT OF THE INTERIOR**  
**Office of Surface Mining Reclamation and Enforcement**  
**VACATION OR TERMINATION OF NOTICE OF VIOLATION OR CESSATION ORDER**

1. Name <i>Sunnyside Coenerative Assoc.</i>		<input checked="" type="checkbox"/> Permittee <input type="checkbox"/> No Permit	Originating Office Address <i>O.S.M.</i>	
2. Mailing Address <i>P.O. Box 58087, Salt Lake City, UT 84158</i>		505 Marquette NW Suite 1200 Albuquerque, NM 87102		
3. Name of Mine <i>Coal Processing Plant</i>		<input checked="" type="checkbox"/> Surface <input type="checkbox"/> Other (Specify) <i>→</i>	Telephone Number	
4. Telephone Number <i>801-888-4476</i>	5. County <i>Carbon</i>	<input type="checkbox"/> Underground	505-766-1486	
6. Operator's Name <i>Savage Industries Inc.</i>		8. Date of Inspection <i>6/10/94 Administrative</i>		
7. Mailing Address <i>5250 South 900 West, Suite 200 Salt Lake City, UT 84107</i>		9. Time of Inspection From _____ a.m. To _____ a.m. p.m. p.m.		
10. State Permit Number <i>ACT/007/035</i>	11. NPDES Number	12. MSHA ID Number	13. OSM Mine Number	

**ACTIONS TAKEN**

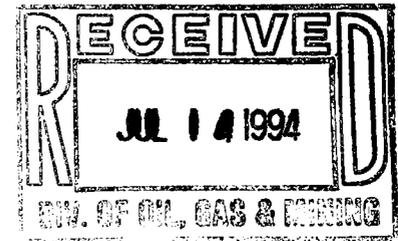
Authority: Under the authority of the Surface Mining Control and Reclamation Act of 1977 (P.L. 95-87; 30 U.S.C. 1201) the following action is taken:

14. Notice of Violation Number <i>94-020-370-003</i>	Dated <i>6/2/94</i>	15. Cessation Order Number - - -	Dated
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16. VIOLATION 1 OF 1 IS  Terminated  Vacated for the Following Reasons:  
*The violation is terminated 6/3/94. DCGM reviewed Sunnyside's submittal and determined that adequate bond exists.*

17. VIOLATION \_\_\_\_\_ OF \_\_\_\_\_ IS  Terminated  Vacated for the Following Reasons:

18. VIOLATION \_\_\_\_\_ OF \_\_\_\_\_ IS  Terminated  Vacated for the Following Reasons:



File in:  
 Confidential  
 Shelf  
 Expandable  
 Refer to Record No *0025* Date *7/14/94*  
 In C/ *007*, *035*, Incoming  
 For additional information

19. Print Name of Authorized Representative  
*WILLIAM S. ROLLINS*

20. Signature of Authorized Representative  
*[Signature]* HPA-

Effective Date  
*6/3/94*





<b>U.S. DEPARTMENT OF THE INTERIOR</b> Office of Surface Mining Reclamation and Enforcement <b>NOTICE OF VIOLATION</b>			1. Notice of Violation Number 94-020-370-003	
2. Name <input type="checkbox"/> Permittee <input type="checkbox"/> No Permit Sunnyside Cogeneration Associates			Originating Office Address O.S.M. 505 Marquette NW Suite 1200 Albuquerque NM 87102	
3. Mailing Address P.O. Box 58087, Salt Lake City, UT 84158-0087			Telephone Number 505-766-1486	
4. Name of Mine <input type="checkbox"/> Surface <input type="checkbox"/> Other (Specify) <input checked="" type="checkbox"/> Underground Coal processing plant			5. Telephone Number 801-888-4476	
6. County Carbon		State UT	9. Date of Inspection 6/2/94	
7. Operator's Name (If other than permittee) Savage Industries Inc			10. Time of Inspection From 1:30 a.m. To _____ p.m.	
8. Mailing Address 5250 South 900 West, Suite 200, Salt Lake City, Utah 84107			11. State Permit Number ACT/007/035	
12. NPDES Number	13. MSHA ID Number	14. OSM Mine Number		

UNDER THE AUTHORITY OF THE SURFACE MINING CONTROL AND RECLAMATION ACT OF 1977 (P.L. 95-87; 30 U.S.C. 1201), THE UNDERSIGNED AUTHORIZED REPRESENTATIVE OF THE SECRETARY OF THE INTERIOR has conducted an inspection of the above mine on the above date and has found violation(s) of the Act, the regulations or required permit condition(s) listed in the attachment(s). This Notice constitutes a separate Notice of Violation for each violation listed.

You must abate each of these violation(s) within the designated abatement time. You are responsible for doing all work in a safe and workmanlike manner.

THE UNDERSIGNED AUTHORIZED REPRESENTATIVE HEREBY FINDS THAT THIS NOTICE  DOES NOT  DOES REQUIRE CESSATION OF MINING EXPRESSLY OR IN PRACTICAL EFFECT. Therefore, you  are  are not entitled to an informal public hearing on request, within 30 days after service of this notice (30 CFR 722.15).

This Notice shall remain in effect until it expires as provided on the reverse or is modified, terminated, or vacated by written notice of an authorized representative of the Secretary. The time for correction may be extended by an authorized representative for good cause. If you need additional time to correct the violation(s), please contact the field office named above.

CERTIFIED RETURN RECEIPT #P 293 288 849

**IMPORTANT—Please Read Information on the Back of this Page**

15. Print Name of Person Served SHAWN Shawn Reddington REDDINGTON/SCA		18. Date of Service 6/2/94	
16. Print Title of Person Served PROJECT MANAGER		19. Print Name of Authorized Representative MITCHELL S. ROLLINGS	
17. Signature of Person Served Shawn Reddington		20. Signature of Authorized Representative [Signature]	ID Number 370

**NOTICE OF VIOLATION (CONTINUATION)**

**NATURE OF PERMIT CONDITION VIOLATED, PRACTICE OR VIOLATION**

Failure to obtain a validly issued permit for a coal processing plant in accordance with the approved Utah program.

**PROVISION(S) OF THE REGULATIONS, ACT OR PERMIT VIOLATED**

R 645-302-261

R 645-302-263

**PORTION OF THE OPERATION TO WHICH NOTICE APPLIES**

The coal processing facilities (crushers, conveyors, etc.) adjacent to the refuse mixing operation.

**CORRECTIVE ACTION REQUIRED (Including Interim Steps, if Any)**

1. Cease all coal processing activities
2. Obtain a validly issued permit from the Utah Division of Oil, Gas, and Mining addressing all parts of the Utah program. (including the bonding requirements)

CERTIFIED RETURN RECEIPT #P 293 288 849

**TIME FOR ABATEMENT (Including Time for Interim Steps, if Any)**

1. complete this step by 6/3/94 at 5:30 pm. (operator requested 24 hours to comply in a safe manner)
2. complete this step by 8/2/94 at 8:00 am



# U. S. DEPT. OF THE INTERIOR

## OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

### Mine-Site Evaluation Inspection Report



1. Permittee/Person <b>SUNNYSIDE COGENERATION ASSOCIATES</b>		9. Permit Number <b>UT-007-035</b>		10. Type a. Permit <input type="checkbox"/> b. RA <input type="checkbox"/>	
2. Address <b>P.O. BOX 58087</b>		11. Inspection Date <b>06/02/94</b> <small>MM - DD - YY</small>		12. Inspection Type <b>OF2</b>	
3. City <b>SALT LAKE CITY</b>		4. State <b>UT</b>		13. Joint Inspection <input type="checkbox"/> Y/N <input type="checkbox"/>	
5. Zip Code <b>84158 - 0087</b>		6. Phone Number <b>801-888-4476</b>		14. Permit Status <b>A</b>	
7. Operator if Different than Permittee <b>SAVAGE INDUSTRIES</b>		15. Site Status <b>AN</b>		16. Facility Type <b>ACE</b>	
8. Mine Name <b>SUNNYSIDE REFUSE &amp; S</b>		17. OSM Office # <b>020</b>		18. RSI # <b>49</b>	
		19. Land Code <b>S</b>		20. M.S.H.A. ID # <b>42-01813</b>	
		21. State Code <b>49</b>		22. County Code <b>007</b>	
		23. AVS Permittee Entity ID Number <b>128991</b>		23b. State Office <b></b>	

### 24. Performance Standard Categories

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

<b>A. Administrative</b> 1. <u>2</u> Mining within Valid Permit 2. <u>5</u> Mining within Bonded Area 3. ___ Terms & Conditions of Permit 4. ___ Liability Insurance 5. ___ Ownership and Control 6. ___ Temporary Cessation	<b>D. Backfilling &amp; Grading</b> 1. ___ Exposed Openings 2. ___ Contemporaneous Reclamation 3. ___ Approximate Original Contour 4. ___ Highwall Elimination 5. ___ Steep Slopes (includes downslope) 6. ___ Handling of Acid & Toxic Materials 7. ___ Stabilization (rills and gullies)	<b>H. ___ Subsidence Control Plan</b> <b>I. Roads</b> 1. ___ Road Construction 2. ___ Certification 3. ___ Drainage 4. ___ Surfacing and Maintenance 5. ___ Reclamation
<b>B. Hydrologic Balance</b> 1. ___ Drainage Control 2. ___ Inspections & Certifications 3. ___ Siltation Structures 4. ___ Discharge Structures 5. ___ Diversions 6. ___ Effluent Limits 7. ___ Ground Water Monitoring 8. ___ Surface Water Monitoring 9. ___ Drainage -- Acid-Toxic Materials 10. ___ Impoundments 11. ___ Stream Buffer Zones	<b>E. Excess Spoil Disposal</b> 1. ___ Placement 2. ___ Drainage Control 3. ___ Surface Stabilization 4. ___ Inspections & Certifications	<b>J. Signs &amp; Markers</b> 1. ___ Signs 2. ___ Markers
<b>C. Topsoil &amp; Subsoil</b> 1. ___ Removal 2. ___ Substitute Materials 3. ___ Storage and Protection 4. ___ Redistribution	<b>F. Coal Mine Waste (Refuse Piles/Impoundments)</b> 1. ___ Drainage Control 2. ___ Surface Stabilization 3. ___ Placement 4. ___ Inspections and Certifications 5. ___ Impounding Structures	<b>K. ___ Distance Prohibitions</b> <b>L. Revegetation</b> 1. ___ Vegetative Cover 2. ___ Timing
	<b>G. Use of Explosives</b> 1. ___ Blaster Certification 2. ___ Distance Prohibitions 3. ___ Blast Survey/Schedule 4. ___ Warnings & Records 5. ___ Control of Adverse Effects	<b>M. ___ Postmining Land Use</b> <b>N. Other</b> ___ 1) _____ ___ 2) _____ ___ 3) _____

<b>25. Inspection Frequency</b> a. Date of Last State Complete Inspection // / / Frequency for previous 4 Calendar Qtrs. b. Number of required complete inspections: <b>0</b> Number of complete inspections conducted: <b>0</b> c. Number of required partial inspections: <b>0</b> Number of partial inspections conducted: <b>0</b>	<b>26. Inspection Hours</b> a. Permit Review: <b>4.0</b> b. Inspection Time: <b>4.5</b> c. Travel Time: <b>7.0</b> d. Report Writing: <b>6.0</b>	<b>27. Bonded Acres</b> a. Total bonded: <b>0.0</b> b. Phase I released: <b>0.0</b> c. Phase II released: <b>0.0</b> d. Phase III released: <b>0.0</b>	<b>28. Acres</b> a. Permitted: <b>310.0</b> b. Disturbed (Estimated): <b>0.0</b>
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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 06/02/94

#### 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		H Impact	I OSM Action	J OSM Action Number		K Optional
					PEO	Impact					
A. Specific State Law/Regulations Violated: <u>R645-302-261 &amp; 263</u>					Description: <u>FT OBTAIN A VALIDLY ISSUED PERMIT...</u>						
1	A1	Y	2	*	*	1	4	3	N93-020-370-003	V# 01	
A. Specific State Law/Regulations Violated: _____					Description: _____						
2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	V# <input type="checkbox"/>	<input type="checkbox"/>
A. Specific State Law/Regulations Violated: _____					Description: _____						
3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	V# <input type="checkbox"/>	<input type="checkbox"/>
A. Specific State Law/Regulations Violated: _____					Description: _____						
4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	V# <input type="checkbox"/>	<input type="checkbox"/>
A. Specific State Law/Regulations Violated: _____					Description: _____						
5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	V# <input type="checkbox"/>	<input type="checkbox"/>
A. Specific State Law/Regulations Violated: _____					Description: _____						
6	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	V# <input type="checkbox"/>	<input type="checkbox"/>
A. Specific State Law/Regulations Violated: _____					Description: _____						
7	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	V# <input type="checkbox"/>	<input type="checkbox"/>

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

**30. Signature**

*[Signature]*

Inspector's Signature

**MITCHELL ROLLINGS**

Inspector's Printed Name

31. OSM Inspector ID#

Dated: 06/13/94 370

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Reviewing Official: *[Signature]*

Review Date: 6/13/94

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Page 2 of     

Revised July 1, 1993

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

ACT/007/035  
Sunnyside Refuse (Preparation plant only)

6/2/94  
Ten-Day Notice follow-up inspection

Mitchell S. Rollings, 370, OSM  
Jerry Carter, Operations Manager, Savage Industries (SI)  
Barry Mills, Supervisor, SI  
Shawn Reddington, Project Manager, SI  
Kendall Reed, Plant Manager, Tampella Services

I introduced myself and presented credentials to all individuals above except Mr. Reed. The inspection was conducted from about 1:00pm to 5:30pm.

This inspection was a follow-up inspection to TDN 93-020-370-002, issued 9/1/93. The TDN was issued because SCA was operating a preparation plant without a permit from the Division of Oil, Gas, and Mining (DOGM).

Notice of Violation (NOV) 93-020-370-003, TV 1, was issued as a result of this inspection. The NOV was issued for failure to obtain a validly issued permit for a coal processing plant in accordance with the approved Utah program. This NOV applied only to the coal processing facilities. The coal refuse mine and the power plant are not subject to this NOV.

The first corrective action is to cease all coal processing activities. I asked Mr. Reddington how long would it take to cease the operations without endangering personnel or equipment. Mr. Reddington checked with other SI personnel and requested 24 hours. The second corrective action is to obtain a validly issued permit from DOGM that addresses all parts of the Utah program including the bonding requirements.

Since this inspection, DOGM has apparently reviewed a reclamation cost estimate submitted by SCA. DOGM has determined that the existing bond is adequate to complete reclamation of the refuse mine and also the coal processing plant. As such, the NOV was terminated the date of DOGM's review, June 3, 1994.