



# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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DATE: March 22, 1994

ACT/007/035 #2  
Copy ~~to~~ taken  
Jesse F. I.

TO: Pamela Grubaugh-Littig, Permit Supervisor

FROM: Wm. J. Malencik, Reclamation Specialist *WJM*

RE: Project No EC450593, Violation N93-13-2-1. Sunnyside Co-Gen Associates Permit Additions

The permittee representative on March 11, 1994 provided additions to the MRP as a result of violation N93-1-2-1. You requested and I conducted a review of the following items:

1. Final Disturbed Area Maps - Plates 3-1, 3-1A, 3-1B, 3-1C, 3-1D, and 3-1E
2. Inspection Schedule for Excess Spoil (Noncombustible) Pile, Coarse Refuse Pile, and Impoundments (revisions in text of Chapter 5 and 9, also Table 5-1)

Observation and Findings: Have reviewed item 1 and 2 above. Also, included are ancillary comments on several matters that need clarification.

### Item #1

Accompanied by Jim Comas, field reviewed each of the disturbed area maps. The maps show the pre 1977 disturbed areas, the post 1977 disturbed areas, and the anticipated future potential disturbed areas. In light of the current Sunnyside Coal Mine situation, the need to disturb potential earmarked undisturbed areas may change unless the mine becomes operation. However, time will solve this problem. Wouldn't expect the permittee to disturb potential undisturbed area when the need for same was associated with an active mine. There are a few obvious islands of undisturbed areas within the disturbed area and identified on appropriate maps.

### Finding:

The maps accurately reflect disturbed areas as noted above and recommend they be approved as submitted.

### Item #2

Reviewed submitted text on spoil pile, refuse pile, and impoundments as related to inspections. Also, some comments are included herein over and above the matter relating to inspections.

Spoil - Table 5-1 states operator will inspect spoil pile quarterly. Text discussed other inspection during critical construction periods. Submission meets requirements of the rules.

Another unrelated comment, since the pile is currently under going preliminary foundation work, etc. drainage system above the pile needs to be incorporated into the drainage plan and interfaced with the lower diversion that currently exists (R614-301-745.330).

Refuse - Permittee commits to conducting inspections during critical construction periods in addition to the routine regular periodic inspections. It would appear that the current permittee on matters relating to foundation preparation, under drains and protective filter systems is wholly dependant on the previous permittees records. Further, since the refuse pile is pre-SMCRA, it is difficult for the current permittee to commit to something that is covered by refuse and/or slurry. However, the current permittee can address the surface drainage system and final grading and vegetation as required by the rules. Therefore, this particular part needs additional consideration and clarification by the permittee.

Impoundments - Permittee has committed to inspect all impoundments as required by the rules.

Questions currently exist relative to the west slurry cell. The application clearly states that the west slurry cell has not been utilized as a slurry impoundment since 1978. The current plan states that dry material will be stored in the west cell. The operator continues to meet inspection rule requirements under impoundments. With the mine being idle neither slurry nor refuse will be stored under an on going operation.

Therefore, these questions need to be answered:

- (1) Is the west slurry cell still considered a slurry impoundment, even though it is not currently being used as such?
- (2) Is it now considered a refuse pile since dry material is authorized to be stored therein?
- (3) Is it both?