



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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)

March 9, 1994

TO: File

FROM: Jess Kelley, Reclamation Engineer *JK*

RE: Field Check of Maps Submitted to Abate Notice of Violation N93-32-2-5, Part 2 of 5, and Terminate Part 1 of Division Order DO-93B, Sunnyside Coal Company, Sunnyside Mine, ACT/007/007, Folder #2, Carbon County, Utah

SYNOPSIS

Notice of Violation (NOV) N93-32-2-5 was issued May 12, 1993 by Division Soils Specialist Henry Sauer. Part 2 of 5 of this NOV was for "failure to certify by a qualified, registered, professional engineer or land surveyor permit maps [sic]." To abate this violation, the permittee agreed to redo and update certain of the permit maps. The violation was modified several times to allow the permittee more time to do this.

The Division issued Division Order DO-93B on June 1, 1993. The purpose of this two-part Division Order was to amend the permit maps 1) to show all power lines passing over the permit area, and 2) to include the main 46 kV power line in the disturbed area. The inclusion of the 46 kV power line in the disturbed area was designated 'Amendment 93L', and was done by the permittee in July of 1993. The Division approved this amendment, and thus terminated the second part of the Division Order in August of 1993.

Since several of the maps which were to be modified in accordance with the first part of the Division Order also had to be modified in order to abate the violation, the permittee submitted the maps as one package. The permittee submitted all of the finalized maps--both those which were modified to abate the violation and those which were modified in accordance with the first part of the Division Order--for Division approval on November 22, 1993.



March 9, 1994
ACT/007/007
Page 2

ANALYSIS

The maps which the permittee submitted to terminate the NOV are the following:

- Plate III-1
 - Sheet 1 of 3--Surface Facilities, Hydrology, & Pre-Law Disturbance/Vegetation
 - Sheet 2 of 3--Surface Facilities, Hydrology, & Pre-Law Disturbance/Vegetation
- Plate III-1A
 - Sheet 1 of 2--Surface Facilities (North)
 - Sheet 2 of 2--Surface Facilities (South)
- Plate III-1B--Main Surface Facilities Middle
- Plate III-1C--Whitmore Fan Area/Surface Facilities Detail
- Plate III-1D--Manshaft Area/Surface Facilities Detail
- Plate III-1E--Surface Facilities/Outcrop Fan Area
- Plate III-1F--Main Surface Facilities North
- Plate III-1G--Main Surface Facilities South

The maps which the permittee submitted to terminate the first part of the Division Order are the following:

- Plate III-1
 - Sheet 2 of 3--Surface Facilities, Hydrology, & Pre-Law Disturbance/Vegetation
- Plate III-22
 - Sheet 3 of 4--Current Veg. & Pre Law Disturbed Area
- Plate III-23
 - Sheet 4 of 4--Current Veg. & Pre Law Disturbed Area

Division engineers Jess Kelley and Wayne Western reviewed and field verified the maps on February 9 and 10, 1994. In addition, Division Soils Specialist Henry Sauer, who regularly inspects the Sunnyside site, reviewed the maps in the course of an inspection during the week of February 21-25, 1994. There

March 9, 1994
ACT/007/007
Page 3

were several minor errors, all having to do with culvert locations, on Plate III-1A, Sheet 2 of 2--Surface Facilities (South) and Plate III-1F--Main Surface Facilities North. The permittee corrected these errors and submitted corrected copies of the maps on March 1, 1994.

The maps, however, still contain one major omission: they do not show the boundaries of the disturbed area, as required by R-301-521.162. Thus, the maps accurately portray the surface facilities and the drainage control aspects of the operation as they are on the ground, but they still do not fulfill the requirements of the NOV and the Division Order.

RECOMMENDATIONS

It is recommended that the permittee revise the new maps to show the disturbed area boundaries before they can be approved and included as part of the approved mine plan.

CC: Daron Haddock
Pamela Grubaugh-Littig