



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

INSPECTION REPORT

PH

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Michael O. Leavitt
Governor
Lowell P. Braxton
Division Director

Partial: xxx Complete: Exploration:
Inspection Date & Time: 11/8/99 / 10:00A.M.-1:30P.M.
Date of Last Inspection: 10/7/99

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 10, East Carbon, Utah 84520
Type of Mining Activity: Underground Surface XXX Prep. Plant Other
Company Official(s): Rusty Netz
State Officials(s): Bill Malencik Federal Official(s): None
Weather Conditions: Partly Cloudy, 50's
Existing Acreage: Permitted- 310 Disturbed- 202 Regraded- Seeded- Bonded- 202
Increased/Decreased: Permitted- Disturbed- Regraded- Seeded- Bonded-
Status: Exploration/ XXX Active/ Inactive/ Temporary Cessation/ Bond Forfeiture
Reclamation (Phase I/ Phase II/ Final Bond Release/ Liability 1994 Course Refuse Road)

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	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. SIGNS AND MARKERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. TOPSOIL	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. HYDROLOGIC BALANCE:				
a. DIVERSIONS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. SEDIMENT PONDS AND IMPOUNDMENTS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. OTHER SEDIMENT CONTROL MEASURES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. WATER MONITORING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. EFFLUENT LIMITATIONS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. EXPLOSIVES	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. DISPOSAL OF EXCESS SPOIL/FILLS/BENCHES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. COAL MINE WASTE/REFUSE PILES/IMPOUNDMENTS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. NONCOAL WASTE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. PROTECTION OF FISH, WILDLIFE AND RELATED ENVIRONMENTAL VALUES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. SLIDES AND OTHER DAMAGE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. CONTEMPORANEOUS RECLAMATION	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. BACKFILLING AND GRADING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. REVEGETATION	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. SUBSIDENCE CONTROL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. CESSATION OF OPERATIONS	<input 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 type="checkbox"/>	<input type="checkbox"/>
b. DRAINAGE CONTROLS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. AIR QUALITY PERMIT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
21. BONDING & INSURANCE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

INSPECTION REPORT
(Continuation sheet)

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PERMIT NUMBER: ACT/007/035

DATE OF INSPECTION: 11/8/99

(Comments are Numbered to Correspond with Topics Listed Above)

GENERAL COMMENTS

Conducted a partial inspection of the Sunnyside Cogeneration Surface Mine. The inspection covered the tipple, upper, and lower permitted areas.

The power plant is undergoing a major renovation. This is largely the result of the two new owners agreeing on what needs to be done. The temporary shut down covers the period 11/8/99 to 11/21/99.

1. PERMITS

Reviewed all outstanding permits. On July 29, 1999, Attorney-at-Law, Brian Burnett, complied with the Division's request to update the legal and financial portion of the MRP.

With the recent sale of the other portion, the time is right for Brian Burnett to update the legal and financial portion of the MRP. Brian Burnett is working with Pam per his last letter now that the new owners have purchased the property. The second and the new owner is ACI.

Pam sent the PFO a copy of the new liability insurance.

2. SIGNS AND MARKERS

The mine has installed a mine ID sign at the interface of each public access road. Other signs observed included MSHA refuse sign and topsoil signs. The existing disturbed boundary and permit boundary have been posted. One sign was down. Rusty picked up the sign and temporarily installed it until a permanent installation is made. The sign was observed and the permanent arrangements will require additional effort to destroy the existing sign.

4A. HYDROLOGIC BALANCE: DIVERSIONS

Disturbed and undisturbed diversions are shown on plate 7-6, individual designed diversions are on Appendix 7-3. The disturbed diversions include culverts, berms, and ditches.

A sampling of key diversions during the inspection did not uncover any maintenance problems.

4B. HYDROLOGIC BALANCE: SEDIMENT PONDS AND IMPOUNDMENTS

The disturbed area contains eleven impoundments, of which seven are sediment ponds. There are four slurry approved impoundments. Slurry cell one and two are non-MSHA impoundments. The east and west slurry cells are MSHA impoundments. All slurry cells are inactive. This occurred when the Sunnyside Mine closed and no longer washed coal in 1994. Furthermore, the slurry ditch has just been reclaimed in 1999 and no slurry will be conveyed to the slurry cells.

The sediment ponds and slurry cells were inspected and reports were reduced to writing. The third quarter impoundment reports were on file and were prepared by P.E. Scott Carlson.

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4C. HYDROLOGIC BALANCE: OTHER SEDIMENT CONTROL MEASURES

There are three small areas where designed silt fences and/or vegetation has been approved by the Division to provide sediment control.

Area 1 - South of the clear water pond, vegetation is the treatment.

Area 2 - South of the reclaimed coarse refuse road, silt fences and vegetation are the treatment.

Area 3 - Railroad culvert, adjacent up-slope, silt fence, and vegetation provides the treatment.

There are other soil and sediment control devices including silt fences; however, these are redundant control measures. All such areas drain into approved sediment ponds.

4D. HYDROLOGIC BALANCE: WATER MONITORING

Water monitoring reports for the third quarter were in the compilation stage.

4E. HYDROLOGIC BALANCE: EFFLUENT LIMITATIONS

Discharge reports for the last month were submitted to DEQ with copies to the Division.

6. DISPOSAL OF EXCESS SPOIL/FILLS/BENCHES

The permittee has an approved site to store spoil and tippel processing waste. Currently, spoil is stored in the decommissioned slurry cell as currently approved in the MRP. The waste is being placed in the slurry cell #1. When slurry cell #1 is filled, the operation will move to slurry cell #2.

Three sites were approved so that coal material would be stored on the spoil piles and not on the refuse pile.

A sizeable amount of rock is currently stored on the first primary spoil pile. This was briefly discussed with Mr. Netz. While the plan does not require, it would be easier to reclaim the spoil outslope after each lift is completed. Mr. Netz said he and Scott Carlson would look into the matter on his next trip to Sunnyside. Scott Carlson prepared the third quarter excess spoil report.

Rusty Netz had Savage clean up the spoil pile. This included removing noncoal waste and grooming the pile.

7. COAL MINE WASTE/REFUSE PILES/IMPOUNDMENTS

The permittee is currently mining the west slurry cell and contiguous refuse pile. No mining has started on the east slurry cell. Mr. Carlson prepared the second quarter report on the refuse pile.

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8. NONCOAL WASTE

Currently, there is not an active non-coal waste storage area. The non-coal waste is currently stored in a dumpster off the permit area.

16B. ROADS: DRAINAGE CONTROLS

All roads and associated ditches were recently graded including several road ditches adjacent to the haul roads. All haul roads were wet and were watered before I arrived at the mine.

20. AIR QUALITY PERMIT

An air quality order is on file at the mine site. The order requires the permittee to water roads in order to control fugitive dust. The haul roads were watered during the inspection.

21. BONDING AND INSURANCE

Insurance was recently renewed and covers the period 3/25/99 to 3/25/00. As mentioned, the liability insurance was recently renewed. The new insurance covers the period 11/5/99 to 11/5/00.

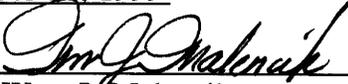
Note: This inspection report does not constitute an affidavit of compliance with the regulatory program of the Division of Oil, Gas, and Mining.

Copy of this Report:

Mailed to: Rusty Netz (Cogen) Henry Austin (OSM)

Given to: Pam Grubaugh-Littig (DOGM) Filed to: Price Field Office

Date: November 10, 1999

Inspector's Signature:  #26
Wm. J. Malencik