



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor
Kathleen Clarke
Executive Director
Lowell P. Braxton
Division Director

1594 West North Temple, Suite 1210
PO Box 145801
Salt Lake City, Utah 84114-5801
801-538-5340
801-359-3940 (Fax)
801-538-7223 (TDD)

INSPECTION REPORT

*PHL
by
SNO*

Partial: XXX Complete: Exploration:
Inspection Date & Time: 08/09/2001 / 10 AM- 1 PM
Date of Last Inspection: 07/03/2001

Mine Name: Sunnyside Refuse/Slurry County: Carbon Permit Number: C/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): Mr. Rusty Netz
State Official(s): Peter Hess, Karl Houskeeper Federal Official(s): None
Weather Conditions: Clear, sunny; 80's Fahrenheit
Existing Acreage: Permitted 310 Disturbed 202 Regraded Seeded
Status: Active XXX

REVIEW OF PERMIT, PERFORMANCE STANDARDS & PERMIT CONDITION REQUIREMENTS

- 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. SIGNS AND MARKERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. EXPLOSIVES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. DISPOSAL OF EXCESS SPOIL/FILLS/BENCHES	<input 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 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 ISSUES	<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 checked="" 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 type="checkbox"/>	<input type="checkbox"/>
17. OTHER TRANSPORTATION FACILITIES	<input 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 (4 th Quarter- April, May, June)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. AIR QUALITY PERMIT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. BONDING & INSURANCE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

INSPECTION REPORT

(Continuation sheet)

PERMIT NUMBER: C/007/035

DATE OF INSPECTION: 08/09/2001

(COMMENTS ARE NUMBERED TO CORRESPOND WITH TOPICS LISTED ABOVE)

4B. HYDROLOGIC BALANCE: SEDIMENT PONDS AND IMPOUNDMENTS

The following sediment ponds were inspected this day: coarse refuse toe pond, old coarse refuse pond, rail cut sediment pond, and borrow area sediment pond. There were no problems noted for any of these impoundments.

4C. HYDROLOGIC BALANCE: OTHER SEDIMENT CONTROL MEASURES

The site has three alternate sediment control measures. These received a thorough analysis and review during the last midterm permit review, and include the following: the area west of the clear water pond located adjacent to slurry ponds #1 and #2, the outslope area of the old coarse refuse haul road, and the area on the south side of the natural drainage into which the flow from the coarse refuse seep (CRS ground water monitoring point) reports. These ASCA's use different methods of treatment to retain sediment within the disturbed area of the permit. All ASCA's appeared to be capable of functioning as designed.

4D. HYDROLOGIC BALANCE: WATER MONITORING

Mr. Netz informed the Division this day that all water monitoring requirements for the second quarter had been completed and that the compiled information had been forwarded to Division headquarters in SLC.

A review of the second quarter information, as it currently exists in the Division's data base pipeline, revealed the following:

- 1) The various UPDES discharge points at the site have not discharged for many months.
- 2) The sample points which have reported analytical results for their required parameters show numerous parameter errors (as seen by red highlights) and warnings (indicated by pink highlights).

7. COAL MINE WASTE/REFUSE PILES/IMPOUNDMENTS

SCA obtains much of its fuel source from the old refuse pile which was built from coal processing and mine development waste from the Sunnyside Mine. The mine ceased coal production in March of 1994; at that time, the refuse pile had completed the fifth lift and was working on establishing the sixth. During today's inspection, Mr. Netz informed us that SCA has removed the fifth and sixth lifts. We stood on top of the fourth lift and looked down over the outslope.

Prior to the closing of the Sunnyside Mine, two regulatory actions had been issued on the refuse pile which required the placement of noncombustible material on the various lifts. The first action, an NOV, was issued relative to the spontaneous combustion which was occurring in the pile. The second action was a "Ten-Day Notice" issued by the USDO, Office of Surface Mining relative to the "failure of the permittee to contemporaneously reclaim the second through the fifth lifts of the refuse pile." Although this issue appears to be relatively clear cut, it was not, due to the fact that at that time, SCA was in the process of

INSPECTION REPORT

(Continuation sheet)

PERMIT NUMBER: C/007/035

DATE OF INSPECTION: 08/09/2001

attempting to obtain a permit from the Division to re-mine the refuse pile. The placement of noncombustible material on the fuel supply was felt to be a possible contaminant at the time. Numerous correspondence was exchanged between the permittees, the Division, and OSM to attempt to resolve this issue.

At the time, the permittee responsible for the refuse pile, (Sunnyside Coal Co.), took action to smother the fires and reclaim the various lifts. This required the permitting of several borrow areas from which the noncombustible material could be obtained, and then obtaining and placing the material.

When questioned, Mr. Netz indicated that as the pile is re-mined, the noncombustible material which was placed by Sunnyside Coal Co. is not recovered, but is shipped to the plant as part of the fuel source. This helps in controlling temperatures within the boilers and is now considered to be an asset to the generation process.

All of the aforementioned is relative to a concern that an adequate volume of cover material be available when it is time to reclaim the area which was previously occupied (and is still occupied by the first through fourth lifts) by the coarse refuse pile.

Mr. Netz indicated that he felt sure that an adequate volume of cover material would still be available because as the refuse is consumed; 1) the surface area which will require reclamation will be less (original valley surface area vs. unmined refuse pile surface area), and 2) it will not be necessary to place four feet of noncombustible fill over an area which has had the coal refuse removed. Mr. Netz's justification does seem rational particularly when viewing the undisturbed area of the ravine where the refuse pile has been built. The undisturbed area, located on the north side of the ravine, consists of eroded fans of Mancos shale overlain by a thin veneer of yellow sandstone talus. If the area which has been covered by the refuse is reclaimed to the original contour, it appears that very little plant growth medium will be necessary to make the reclaimed area look similar to the undisturbed.

It should be noted here that a huge volume of refuse still exists in the area, and it is not known how much of that material will remain "un-re-mined" when the operational life of the SCA plant is reached. A review of the reclamation plan is necessary to determine what commitments have been made by the permittee relative to the reclamation of the Sunnyside coarse refuse pile.

Inspector's Signature: _____



Peter Hess #46

Date: September 5, 2001

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

sd

cc: James Fulton, OSM
Rusty Netz, Cogen
Price Field office

O:\007035.SRS\Compliance\2001\p_0809.wpd