



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

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**INSPECTION REPORT**

*PGC by [signature]*

Partial: \_\_\_\_\_ Complete: XXX Exploration: \_\_\_\_\_  
 Inspection Date & Time: 11/28/2001 /9:30 - 13:30  
 Date of Last Inspection: 10/04/2001

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): Rusty Netz  
 State Official(s): Karl R. Houskeeper Federal Official(s): Henry Austin, OSM  
 Weather Conditions: Overcast, Temp 20's - 30's  
 Existing Acreage: Permitted 310 Disturbed 202 Regraded \_\_\_\_\_ Seeded \_\_\_\_\_  
 Status: Active XXX

REVIEW OF PERMIT, PERFORMANCE STANDARDS & PERMIT CONDITION REQUIREMENTS

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.

	<u>EVALUATED</u>	<u>N/A</u>	<u>COMMENTS</u>	<u>NOV/ENF</u>
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 checked="" 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 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 ISSUES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. SLIDES AND OTHER DAMAGE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. CONTEMPORANEOUS RECLAMATION	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. BACKFILLING AND GRADING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. REVEGETATION	<input checked="" 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 checked="" 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 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 (4 <sup>th</sup> Quarter- April, May, June)	<input checked="" type="checkbox"/>	<input 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)

PERMIT NUMBER: C/007/035

DATE OF INSPECTION: 11/28/2001

( COMMENTS ARE NUMBERED TO CORRESPOND WITH TOPICS LISTED ABOVE )

**1. PERMITS, CHANGE, TRANSFER, RENEWAL, SALE**

The following permits were reviewed:

- Mining permit C/007/035. Issued February 4, 1998. Expires February 4, 2003
- UPDES permit #UT0024759. Issued August 1, 1997. Expires July 31, 2002
- Air Quality Permit DAQE-691-99. Issued August 13, 1999.

There were no problems noted. All permits are current. The operator is aware that the UPDES permit is coming up for renewal. Information is in the process of being submitted to DEQ.

**2. SIGNS AND MARKERS**

ID signs were observed adjacent to the tippel. The disturbed markers were checked and no problems were noted. The MSHA refuse & impoundment signs were observed. The signs and markers meet the coal rules.

**4A. HYDROLOGIC BALANCE: DIVERSIONS**

The diversion berm located on the top of the impounding embankment of the Rail Cut Sediment Pond has been repaired.

**4B. HYDROLOGIC BALANCE: SEDIMENT PONDS AND IMPOUNDMENTS**

The following sediment ponds were examined:

Old Coarse Refuse Road Pond	UPDES Discharge # 008
Clear Water Pond	UPDES Discharge # 004
Pasture Pond	UPDES Discharge # 009
Coal Pile Sediment Pond	UPDES Discharge # 014
Rail Cut Pond	UPDES Discharge # 007
Coarse Refuse Toe Pond	UPDES Discharge # 012
Borrow Area Pond	UPDES Discharge # 016

The area was snow covered, but all ponds appeared to be stable with no visible hazards. Slurry Pond #1 and Slurry Pond #2 have been decommissioned and now serve as Excess Spoil Area #2. The ponds are currently receiving fill from the operation.

**INSPECTION REPORT**

(Continuation sheet)

PERMIT NUMBER: C/007/035

DATE OF INSPECTION: 11/28/2001

**4D. HYDROLOGIC BALANCE: WATER MONITORING**

The permittee has notified the Division that the third quarter water sampling and UPDES DMR data has been submitted to the EDI web site. Second and third quarter information was viewed on the EDI web site prior to the inspection.

**4E. HYDROLOGIC BALANCE: EFFLUENT LIMITATIONS**

Reviewed the DMR's for October for the UPDES discharge outfall's. No discharges took place.

**6. DISPOSAL OF EXCESS WASTE/FILLS/BENCHES**

Excess Spoil Area #2 is currently active. This area is located in the decommissioned Slurry Pond #1 and Slurry Pond #2. The dike between these ponds has been removed and material is being placed in them. The area currently remains incised. The final plan allows the fill to protrude the existing surface elevation by approximately four feet.

Excess Spoil Area #1 located at a point above the refuse pile utilizes the 100 year 6 hour diversion constructed for the refuse pile. It is unclear whether Excess Spoil Area #2 addresses the requirements for a 100 year 6 hour diversion around the perimeter of the fill. The Division Hydrologist assigned to this site has been contacted and an investigation is in process. The operator also committed to research their files in an effort to resolve the concerns.

**7. COAL MINE WASTE/REFUSE PILES/IMPOUNDMENTS**

SCA has received approval from MSHA to abandon the West Slurry Cell (this cell is no longer classified as an impoundment) and to inspect the East Slurry Cell once every thirty days. A copy of SCA correspondence and approval letters from MSHA should be incorporated into the current MRP, book 2, appendix 5-8.

The permittee continues to remove material from the refuse pile as a fuel source for the power plant. The area was viewed and operations appear to be in accordance with the MRP and coal rules. The area appeared stable with no visible smokers.

**8. NONCOAL WASTE**

The area was free of noncoal waste.

**20. AIR QUALITY PERMIT**

Air Quality Permit DAQE-691-99 issued August 13, 1999 was reviewed as mentioned above.

**INSPECTION REPORT**

(Continuation sheet)

PERMIT NUMBER: C/007/035

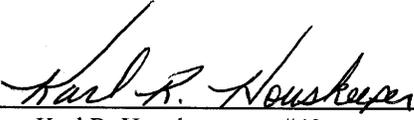
DATE OF INSPECTION: 11/28/2001

**21. BONDING AND INSURANCE**

SCA was notified by letter dated November 16, 2001 that the supreme court of the state of New York declared Frontier Insurance Company insolvent on October 15, 2001. SCA currently has their replacement surety through Frontier. The Division allowed 60 days from receipt of the letter, but no later than January 16, 2002 to resolve this issue.

The operator at the time of this inspection had already contacted another provider. Some minor language changes still need to be instituted to finalize the agreement. The Division will be notified as soon as the change in bonding agencies is finalized.

Insurance for the site is under Liberty Mutual Fire Insurance Company policy number TB2-691-518993-011. The policy was issued on August 1, 2001 and expires on August 1, 2002. The policy meets all the minimum requirements of the coal rules. No explosive coverage is noted on the insurance form. However, the MRP clearly identifies that all issues regarding explosives are not addressed, since explosives will not be used at the site.

Inspector's Signature:  Date: November 29, 2001  
Karl R. Houskeeper #49

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

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

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