



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

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**INSPECTION REPORT**

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Partial: \_\_\_\_\_ Complete: XXX Exploration: \_\_\_\_\_  
 Inspection Date & Time: 01/30/2002 /9:30-12:30  
 Date of Last Inspection: 12/18/2001

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): None  
 Weather Conditions: Partly Cloudy & Cold, Temp 10 - 20°F  
 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.

	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 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 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 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 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: 01/30/2002

( 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. Reminded the operator that the UPDES permit is coming up for renewal.

**2. SIGNS AND MARKERS**

Observed the ID sign adjacent to the tippie. The disturbed markers were checked and no problems were noted. The MSHA refuse & impoundment signs were observed. All of the signs and markers meet the coal rules.

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

The following sediment ponds were examined:

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

The area remains snow covered. 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. These ponds are currently receiving fill from the operation.

Reviewed the fourth quarter 2001 Inspection report for Sunnyside Cogeneration Associates prior to the inspection. During the inspection, sediment levels and pond capacities were review and discussed. The operator will seek clarification and answers from Psomas and Associates Engineering.

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

The permittee has notified the Division by letter dated December 5, 2001 that the fourth quarter water sampling and UPDES DMR data has been submitted to the EDI web site. Fourth quarter information was checked on the web site.

INSPECTION REPORT

(Continuation sheet)

PERMIT NUMBER: C/007/035

DATE OF INSPECTION: 01/30/2002

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

Reviewed the DMR's for December 2001 for all of the UPDES discharge outfall's. No discharges took place during December 2001.

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

Reviewed the records of inspection for the refuse pile and the impoundments. Reviewed the fourth quarter inspection report and P.E. certification prior to the inspection. The report contained the following information:

<u>STRUCTURE</u>	<u>MSHA ID NUMBER</u>	<u>DATE OF INSPECTION</u>
Refuse Pile	1211-UT-09-02093-01	12/13/2001
Excess Spoil #1	1211-UT-09-02093-04	12/13/2001
Excess Spoil #2	1211-UT-09-02093-05	12/13/2001
East Slurry Cell	1211-UT-09-02093-02	12/13/2001
West Slurry Cell	1211-UT-09-02093-03	12/13/2001

Viewed the facilities reference above during the complete inspection. All facilities appeared stable with no visible hazards. No smokers were present at the time of the inspection.

**20. AIR QUALITY PERMIT**

Air Quality Permit DAQE-691-99 issued August 13, 1999 remains in effect.

**21. BONDING AND INSURANCE**

A Pledge and Escrow agreement dated January 4, 2002 is in place. This agreement is between Wells Fargo and the Division of Oil, Gas and Mining on behalf of SCA. SCA has invested \$1,747,000 in Federally guaranteed Treasury Notes.

This action replaces the bond that was with Frontier Insurance Company. The state of New York declared Frontier Insurance Company insolvent on October 15, 2001. The Division allowed 60 days from receipt of the letter, but no later than January 16, 2002 to resolve the issue.

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: *Karl R. Houskeeper* Date: January 31, 2002  
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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