



**State of Utah**  
 DEPARTMENT OF NATURAL RESOURCES  
 MICHAEL R. STYLER  
*Executive Director*  
 Division of Oil, Gas and Mining  
 JOHN R. BAZA  
*Division Director*

# Inspection Report

Permit Number:	<b>C0070035</b>
Inspection Type:	PARTIAL
Inspection Date:	Wednesday, July 31, 2019
Start Date/Time:	7/31/2019 10:00:00 AM
End Date/Time:	7/31/2019 1:30:00 AM
Last Inspection:	Thursday, July 11, 2019

Representatives Present During the Inspection:	
Company	Rusty Netz
OGM	Priscilla Burton

Inspector: Priscilla Burton,

Weather: overcast 70 F

InspectionID Report Number: 6487

Accepted by: SCHRISTE  
 8/1/2019

Permitee: **SUNNYSIDE COGENERATION ASSOCIATES**  
 Operator: **SUNNYSIDE COGENERATION ASSOCIATES**  
 Site: **SUNNYSIDE REFUSE & SLURRY**  
 Address: **PO BOX 159, SUNNYSIDE UT 84539**  
 County: **CARBON**  
 Permit Type: **PERMANENT COAL PROGRAM**  
 Permit Status: **ACTIVE**

**Current Acreages**

241.25	<b>Total Permitted</b>
196.65	<b>Total Disturbed</b>
5.35	<b>Phase I</b>
5.35	<b>Phase II</b>
5.35	<b>Phase III</b>

**Mineral Ownership**

- Federal
- State
- County
- Fee
- Other

**Types of Operations**

- Underground
- Surface
- Loadout
- Processing
- Reprocessing

**Report summary and status for pending enforcement actions, permit conditions, Division Orders, and amendments:**

Observed Excess Spoil Area #2, Phase 1 vegetation and recently applied soil cover on Phase 2.  
 Refer to Dwg 5-1 Surface Facilities.

**Inspector's Signature: Priscilla Burton**

Priscilla Burton  
 2019.08.08 15:22:22 -06'00'

**Date** Wednesday, July 31, 2019

Priscilla Burton,  
 Inspector ID Number: 37

**Note:** This inspection report does not constitute an affidavit of compliance with the regulatory program of the Division of Oil, Gas and Mining.  
 telephone (801) 538-5340 • facsimile (801) 359-3940 • TTY (801) 538-7458 • www.ogm.utah.gov



**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 Not Applicable.
  - b. For PARTIAL inspections check only the elements evaluated.
2. Document any noncompliance situation by reference 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, Divison Orders, and amendments.

	Evaluated	Not Applicable	Comment	Enforcement
1. Permits, Change, Transfer, Renewal, Sale	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Signs and Markers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Topsoil	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.a Hydrologic Balance: Diversions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.b Hydrologic Balance: Sediment Ponds and Impoundments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.c Hydrologic Balance: Other Sediment Control Measures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.d Hydrologic Balance: Water Monitoring	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.e Hydrologic Balance: 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 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. Backfilling And Grading	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 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.a Roads: Construction, Maintenance, Surfacing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.b Roads: Drainage Controls	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. AVS check	<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 and Insurance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
22. Other	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### **3. Topsoil**

The 2018 annual report provides an analysis of the cover material placed four feet deep on top of the waste placed in Phase 2 of Excess Spoil Area #2 (2018 Ann Rpt, e-pg 102). Samples of the cover soil were drawn from the Phase 3 development area (South of Phase 2) on 2/7/2019 and analyzed by Brigham Young University Environmental Analytical Laboratory. The soil sample has a neutral pH of 7.5, with no unsuitable characteristics and an adequate buffering capacity. The waste was covered with four feet of this soil. The Phase 3 area is shown on Plates 5-1 and 10-6.

### **7. Coal Mine Waste, Refuse Piles, Impoundments**

Samples of the Excess Spoil Area 2 Phase 2 spoil are provided in the 2013 through 2018 Annual Reports. The 2018 samples indicated that four feet of cover was required for acid forming potential. The earliest samples of refuse (at the bottom of the waste pile) were high selenium (2013 & 2014). The waste is sandy in texture with very little water holding capacity. Excess Spoil Area #2, Phase 2 holds approximately 262,390 tons of refuse (based on the annual reporting figures from 2013 - 2018). Mr. Netz stated the Phase 2 area was approximately 11 acres. The waste pile is approximately 20 feet above grade and 20 feet below grade at its highest and lowest points.

### **9. Protection of Fish, Wildlife and Related Environmental Issues**

Thistle growing adjacent to the SE boundary of the mine permit area was investigated to determine if it could become a potential maintenance problem for the mine site. The population was evaluated and found to be the native species, *Cirsium undulatum* or wavy leaf thistle. *C. undulatum* is not an invasive species and does not need to be controlled. For more information on this species, go to this link  
<https://www.americansouthwest.net/plants/wildflowers/cirsium-undulatum.html>

### **11. Contemporaneous Reclamation**

Phase 1 was reclaimed in 2011 with four feet of cover and seeded in December 2011 and again in the Fall of 2012. The vegetation on this pile is mostly native and diverse. The following species were noted: rabbitbrush, saltbush, shadscale, penstemon, alfalfa, several grasses. Penstemon leaf growth was yellow (chlorotic) which may indicate a nutrient deficiency.

### **12. Backfilling And Grading**

Section 9.6.5 (p. 900-12) describes reclamation of Excess Spoil #2. There are three phases to the Excess Spoil Pile #2 (see Plate 9-8E). Phase 1 was reclaimed in 2011 with four feet of cover and seeded in December 2011 and again in the Fall of 2012. The Phase 1 reclaimed pile is stable.

Excess Spoil Area 2, Phase 2 was reclaimed with four feet of cover in July 2019. Phase 2 will be surface roughened after straw application in October and will be seeded in late November 2019.

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**22. Other**

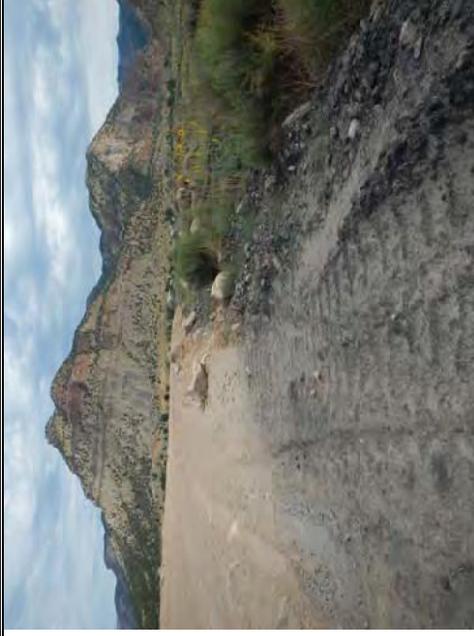
An additional 2+ acres of reclamation grading was completed over pre-law refuse directly North of the Excess Spoil #2 Phase 2 area and East of the coke ovens. This triangle of pre-law refuse was covered with 2 - 3 feet of cover. This work was not anticipated in the plan and was done gratis by Sunnyside Cogen.

<b>Sunnyside Refuse &amp; Slurry – July 31, 2019 Photos</b>	
	
<b>LOOKING SOUTH AT PHASE 2 RECLAIMED WITH 4 FEET OF COVER</b>	<b>LOOKING SW AT PHASE 2 RECLAMATION</b>
	
<b>LOOKING NORTH AT BOUNDARY OF PHASE 1 AND PHASE 2 RECLAMATION</b>	<b>GROWTH ON PHASE 1 RECLAMATION SEEDED 2012</b>

**Sunnyside Refuse & Slurry – July 31, 2019 Photos**



**AREA EAST OF COKE OVENS WAS RECLAIMED WITH 2 FEET OF COVER**



**SPOIL WILL BE COVERED ON BOUNDARY ON EAST SIDE OF PHASE 2**



**LOOKING SW AT BOUNDARY BETWEEN PHASE 2 AND PHASE 3**



**LOOKING EAST AT SPOIL PLACEMENT IN PHASE 3.**