



The State of Utah
 Department of
 Natural Resources
 Division of
 Oil, Gas & Mining

ROBERT L. MORGAN
Executive Director

LOWELL P. BRAXTON
Division Director

OLENE S. WALKER
Governor

GAYLE F. McKEACHNIE
Lieutenant Governor

Representatives Present During the Inspection:	
Company	Rusty Netz Environmental Coordinator
OGM	Karl Houskeeper Environmental Scientist III

Inspection Report

Permit Number:	C0070042
Inspection Type:	PARTIAL
Inspection Date:	Wednesday, February 25, 2004
Start Date/Time:	02/25/2004 10:00:00 AM
End Date/Time:	02/25/2004 1:00:00 PM
Last Inspection:	Wednesday, January 28, 2004

Inspector: Karl Houskeeper, Environmental Scientist III

Weather: Overcast, -Temp 33 Deg. F

InspectionID Report Number: 187

Accepted by: pgrubaug
 03/16/2004

Permittee: **SUNNYSIDE COGENERATION ASSOCIATES**

Operator: **SUNNYSIDE COGENERATION ASSOCIATES**

Site: **STAR POINT REFUSE**

Address: **PO BOX 159, SUNNYSIDE UT 84539**

County: **CARBON**

Permit Type: **PERMANENT COAL PROGRAM**

Permit Status: **ACTIVE**

Current Acreages

152.81	Total Permitted
88.78	Total Disturbed
	Phase I
	Phase II
	Phase III

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:

Inspector's Signature: _____

Date Wednesday, February 25, 2004

Karl Houskeeper, Environmental Scientist III

Inspector ID Number: 49

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

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REVIEW OF PERMIT, PERFORMANCE STANDARDS PERMIT CONDITION REQUIREMENT

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 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.a Hydrologic Balance: Diversions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.b Hydrologic Balance: Sediment Ponds and Impoundments	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.e Hydrologic Balance: Effluent Limitations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 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 checked="" 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 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

1. Permits, Change, Transfer, Renewal, Sale

A review of the approved Mining and Reclamation plan for mining methods was done prior to the inspection. The plan shows that the refuse pile will be mined in lifts. The material removed in lifts can either be trucked off of the top of the pile by the existing primary road, or can be pushed off the top of the pile and down the existing slopes.

2. Signs and Markers

The mine ID is located at the point of access from the public road to the permit area. The sign contains the name of the facility, permit number, address, and phone number. The placement of the sign is such that it is highly visible from the road.

4.d Hydrologic Balance: Water Monitoring

Water monitoring is current at the site. The only sites within the permit area are UPDES discharge points. There has been no discharge from any of the outfalls since the Star Point Waste Fuel Permit C/007/042 was issued by the Division.

7. Coal Mine Waste, Refuse Piles, Impoundments

The operator sent a copy of a letter, dated January 28, 2004, from the Mine Safety and Health Administration (MSHA) to the Division. The letter from MSHA indicates that the operators requested final abandonment of the Star Point Refuse Pile, Mine ID No. 42-02334, Coarse Refuse Pile ID No. 1211-UT-09-02334-0. Subsequently MSHA personnel inspected the site and MSHA has granted the abandonment of the pile. The letter indicates that the refuse pile identification number will be removed from the mine file and that MSHA inspection and reporting requirements no longer apply to the referenced structure.

During the inspection the mining methods/operation plan was evaluated. The contractor was mining into the toe of the refuse pile and had created a high wall of approximately 20' in consolidated material. In addition, the contractor had pushed material mined from the top of the pile down the slope. The unconsolidated material from the top of the pile was placed on top of the 20' high wall. The unconsolidated material was approximately 80' to 100' in height. This mining procedure created a serious safety hazard to the contractor and to the public. The mining operation is adjacent to a public road (Carbon County Road 290). The access to the base of the pile is not fenced or gated. Notice of Violation NOV NO. N04-49-3-1 was issued for failure to follow the Mining Methods/Operation Plan contained in the approved MRP. Tracking of mud/refuse from this area onto the county road is also a concern. The approved plan indicates that coal or processing waste will be removed from paved roads to prevent dust. Current measures to control and/or clean the mud from the county road are not adequate. Notice of Violation NOV NO. N04-49-3-1 also requires the operator to address this issue.