



# U. S. DEPT. OF THE INTERIOR

## OFFICE OF SURFACE MINING

### Mine Site Evaluation State Program



*Copy PFO*  
*12/20/06*

<p>1. Permittee/Person <b>SUNNYSIDE COGENERATION ASSOCIATES</b></p> <p>2. Address <b>PO BOX 159</b></p> <p>3. City <b>Sunnyside</b></p> <p>4. State <b>UT</b></p> <p>5. Zip Code <b>84539</b></p> <p>6. Phone Number <b>(435) 888-4476</b></p> <p>7. Operator Name, if Different than Permittee  </p> <p>8. Mine Name <b>STAR POINT REFUSE</b></p>	<p>9. Permit Number <b>UT-007-042</b></p> <p>10. Permit Type <b>PP</b></p> <p>11. Field Visit Date <b>12/06/2006</b> mm - dd - yyyy</p> <p>12. Purpose <b>O</b></p> <p>13. SRA Present <b>Y</b></p> <p>14. Permit Status <b>A</b></p> <p>15. Site Status <b>AP</b></p> <p>16. Facility Type <b>AE</b></p> <p>17. OSM Office # <b>140</b></p> <p>18. CCID #  </p> <p>19. Land Code <b>F</b></p> <p>20. M.S.H.A ID # <b>42-02334</b></p> <p>21. State Abrev. <b>UT</b></p> <p>22. County Name <b>CARBON</b></p> <p>23. AVS Permittee Entity ID Number  </p> <p>24. State Office  </p>
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<p>25. Hours</p> <p><b>1.0</b> a. Permit Review</p> <p><b>2.0</b> b. Site Visit Time</p> <p><b>8.0</b> c. Travel Time</p> <p><b>1.0</b> d. Report Writing</p>	<p>26. Signature Block</p> <p style="text-align: center;"><i>Henry Austin</i> Signature: <b>12/20/06</b></p> <p style="text-align: center;"><b>HENRY AUSTIN ID # 116</b></p> <p>Printed Name:  </p> <p>Date: <b>12/19/2006</b></p>	<p>27. Reviewing Official: <i>(Acting)</i> <i>Howard E Strand</i> Signature: _____</p> <p>Review Date: <b>12 20 2006</b> mm - dd - yyyy</p> <p>Is Supplemental MSE Page Used Y/N <b>Y</b></p>
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**Permit Type — Item 10** IP = Interim Program, PP = Permanent Program, NP = No Permit

**Purpose Type Codes Item 12**

Oxx... Oversight	RFx... Reclamation Fees	CCR... Citizen Complaint Referral (non site visit)
Axx... Assistance	Fxx... Federal Actions	CC..... Citizen Complaint (initial site visit)
		CCF... Citizen Complaint Follow-up

**Joint Inspection — Item 13** A joint inspection is when a state inspector accompanies an OSM inspector any time during the review of the mine site.

**Permit Status — Item 14**

A.... Active: Coal mining and reclamation activities occurring or permitted but not yet disturbed.	AB.... Abandoned: All surface and underground coal mining activities have ceased and operator has left the site without completing reclamation as defined in 30 CFR 840.11(g)
IN.... Inactive (Permanent Program Permit): Phase II completed or Temporary Cessation of Operations. (Interim Program Permit) Coal mining completed and reclamation activities initiated.	AB1.. Bond Forfeiture: Bond forfeiture officially in process or completed, and reclamation in progress or not yet commenced.
BR... Bond Release: Reclamation completed and State Regulatory Authority (RA) has released all of the bond (Phase III Release.)	AB2.. Partially Reclaimed Forfeiture: Forfeited site where all bonds have been used to reclaim site, but site not reclaimed to Program standards.
	AB3.. Reclaimed Forfeiture: Forfeited site that has been reclaimed to Program standards.
	NA... Not Applicable: When site is unpermitted.

**Site Status Codes — Item 15**

ND... No Disturbance: No coal mining and reclamation operations have been started.	MC.. Mining Complete: No mining activity on site, site regraded and awaiting phase bond release.	NS.. Non-Site Visit: Status of site not determined.
EX... Coal Exploration: Coal exploration operations have started and where coal mining operations have not begun.	TC.. Temporary Cessation: The RA has granted cessation of mining pursuant to 30 CFR 816/817.131(b).	FP.. Forfeiture Pending: The RA is pursuing actions to revoke the permit, collect the performance bond(s), and/or reclamation of forfeited site is in progress.
AP.. Active Coal Producing: Coal surface mining activities are occurring.	P1... Phase I Release: At least Phase I bond release granted for entire permitted area. For interim permits, partial bond release.	FR.. Forfeited and Reclaimed: Forfeiture reclamation completed.
AN.. Active Non-Producing: Active non-producing facility such as tipple or preparation plant.	P2.. Phase II Release: At least Phase II bond release for the entire permitted area.	FO.. Abandoned Site: Abandoned site that is permitted but there is no bond.
NM.. No Mining: The Permit Status is active, site is not in Temporary Cessation, no surface coal mining activity, and site not regraded.	P3.. Phase III Release: Reclamation completed and the RA has released all bond.	WC.. Wildcat: Coal mining and reclamation operations have or are taking place and the activity is not covered by the required permits from the RA.

**Facility Type Codes — Item 16**

A... Surface	D... Ancillary (Haulroad, Conveyor, and/or Rails)	H... Exploration Permits	L... Remaining site permitted under 30 CFR 785.25
B... Underground	E... Refuse and/or Impoundment	I... Notice of Intent to Explore	
C... Preparation Plant	F... Loading Facility and/or Tipple	J... Exempt 16 and 2/3	
	G... Stockpiles	K... Government Financed Construction Exemption	

## Small Business Regulatory Enforcement Fairness Act (SBREFA)

### Your Comments Are Important

The Small Business and Agriculture Regulatory Enforcement Ombudsman and 10 Regional Fairness Boards were established to receive comments from small businesses about Federal agency enforcement actions. The Ombudsman will annually evaluate the enforcement activities and rate each agency's responsiveness to small business. If you are a small business (a business with 500 or fewer employees including those of affiliates) and wish to comment on the enforcement or compliance activities of OSM, call 1-888-REG-FAIR (1-888-734-3247).

# U. S. DEPT. OF THE INTERIOR OFFICE OF SURFACE MINING

## Mine Site Evaluation

State Program

Permittee/ Person SUNNYSIDE

Permit Number UT-007-042

Field Visit Date 12/06/2006

Continuation Page

### 28. Performance Standard Categories

Codes: 1=Compliance, 2=Noncompliance, 3=Not Planned, 4=Not Started, 5=Noncompliance Identified Elsewhere, 6=Previously Cited

<p><b>A. Administrative</b></p> <ol style="list-style-type: none"> <li>1. <u>1</u> Mining within Valid Permit</li> <li>2. <u>1</u> Mining within Bonded Area</li> <li>3. <u>1</u> Terms &amp; Conditions of Permit</li> <li>4. <u>1</u> Liability Insurance</li> <li>5. <u>1</u> Ownership and Control</li> <li>6. <u>1</u> Temporary Cessation</li> <li>7. <u>1</u> AML Rec. Fees -- Non-Respondent</li> <li>8. <u>1</u> AML Rec. Fees -- Failure to Pay</li> </ol> <p><b>B. Hydrologic Balance</b></p> <ol style="list-style-type: none"> <li>1. <u>1</u> Drainage Control</li> <li>2. <u>1</u> Inspections &amp; Certifications</li> <li>3. <u>1</u> Siltation Structures</li> <li>4. <u>1</u> Discharge Structures</li> <li>5. <u>1</u> Diversions</li> <li>6. <u>1</u> Effluent Limits</li> <li>7. <u>1</u> Ground Water Monitoring</li> <li>8. <u>1</u> Surface Water Monitoring</li> <li>9. <u>1</u> Drainage -- Acid-Toxic Materials</li> <li>10. <u>1</u> Impoundments</li> <li>11. <u>3</u> Stream Buffer Zones</li> </ol> <p><b>C. Topsoil &amp; Subsoil</b></p> <ol style="list-style-type: none"> <li>1. <u>1</u> Removal</li> <li>2. <u>1</u> Substitute Materials</li> <li>3. <u>1</u> Storage and Protection</li> <li>4. <u>1</u> Redistribution</li> </ol>	<p><b>D. Backfilling &amp; Grading</b></p> <ol style="list-style-type: none"> <li>1. <u>3</u> Exposed Openings</li> <li>2. <u>1</u> Contemporaneous Reclamation</li> <li>3. <u>1</u> Approximate Original Contour</li> <li>4. <u>3</u> Highwall Elimination</li> <li>5. <u>3</u> Steep Slopes (includes downslope)</li> <li>6. <u>1</u> Handling of Acid &amp; Toxic Materials</li> <li>7. <u>1</u> Stabilization (rills and gullies)</li> </ol> <p><b>E. Excess Spoil Disposal</b></p> <ol style="list-style-type: none"> <li>1. <u>1</u> Placement</li> <li>2. <u>1</u> Drainage Control</li> <li>3. <u>1</u> Surface Stabilization</li> <li>4. <u>1</u> Inspections &amp; Certifications</li> </ol> <p><b>F. Coal Mine Waste (Refuse Piles/Impoundments)</b></p> <ol style="list-style-type: none"> <li>1. <u>1</u> Drainage Control</li> <li>2. <u>1</u> Surface Stabilization</li> <li>3. <u>1</u> Placement</li> <li>4. <u>1</u> Inspections and Certifications</li> <li>5. <u>3</u> Impounding Structures</li> </ol> <p><b>G. Use Of Explosives</b></p> <ol style="list-style-type: none"> <li>1. <u>3</u> Blaster Certification</li> <li>2. <u>3</u> Distance Prohibitions</li> <li>3. <u>3</u> Blast Survey/Schedule</li> <li>4. <u>3</u> Warnings &amp; Records</li> <li>5. <u>3</u> Control of Adverse Effects</li> </ol>	<p><b>H. <u>3</u> Subsidence Control Plan</b></p> <p><b>I. Roads</b></p> <ol style="list-style-type: none"> <li>1. <u>1</u> Road Construction</li> <li>2. <u>1</u> Certification</li> <li>3. <u>1</u> Drainage</li> <li>4. <u>1</u> Surfacing and Maintenance</li> <li>5. <u>1</u> Reclamation</li> </ol> <p><b>J. Signs &amp; Markers</b></p> <ol style="list-style-type: none"> <li>1. <u>1</u> Signs</li> <li>2. <u>1</u> Markers</li> </ol> <p><b>K. <u>1</u> Distance Prohibitions</b></p> <p><b>L. Revegetation</b></p> <ol style="list-style-type: none"> <li>1. <u>1</u> Vegetative Cover</li> <li>2. <u>1</u> Timing</li> </ol> <p><b>M. <u>1</u> Postmining Land Use</b></p> <p><b>N. Other</b></p> <table border="0" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 100px;">General</td> <td></td> </tr> <tr> <td>Performance</td> <td></td> </tr> <tr> <td>Catagory</td> <td></td> </tr> <tr> <td style="text-align: right;">F</td> <td><u>1</u> 1) Refuse pile surface mine</td> </tr> <tr> <td style="text-align: right;">---</td> <td>2) _____</td> </tr> <tr> <td style="text-align: right;">---</td> <td>3) _____</td> </tr> </table>	General		Performance		Catagory		F	<u>1</u> 1) Refuse pile surface mine	---	2) _____	---	3) _____
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Performance														
Catagory														
F	<u>1</u> 1) Refuse pile surface mine													
---	2) _____													
---	3) _____													

### Performance Standard Catagories 30 CFR Counterpart

<p><b>A. Administrative.....(816/817.22)</b></p> <ol style="list-style-type: none"> <li>1. Valid Permit.....773.11</li> <li>2. Mining within Bonded Area.....773.11</li> <li>3. Terms &amp; Conditions of Permit.....773.17</li> <li>4. Liability Insurance.....800.60</li> <li>5. Ownership and Control.....778.13</li> <li>6. Temporary Cessation.....842.11(e) &amp; 816/817.131</li> <li>7. AML Rec. Fees -- Non-Respondant.....870.15(b)</li> <li>8. AML Rec. Fees -- Failure to Pay.....870.15(a)</li> </ol> <p><b>B. Hydrologic Balance.....(816/817.41-57)</b></p> <ol style="list-style-type: none"> <li>1. Drainage Control.....45</li> <li>2. Inspections &amp; Certifications.....49(a)(10)</li> <li>3. Siltation Structures.....46</li> <li>4. Discharge Structures.....47</li> <li>5. Diversions.....43</li> <li>6. Effluent Limits.....42</li> <li>7. Ground Water Monitoring.....41(c)</li> <li>8. Surface Water Monitoring.....41(e)</li> <li>9. Drainage--Acid - Toxic Materials.....41(f)</li> <li>10. Impoundments.....49</li> <li>11. Stream Buffer Zones.....57</li> </ol> <p><b>C. Topsoil &amp; Subsoil.....(816/817.22)</b></p> <ol style="list-style-type: none"> <li>1. Removal.....22(a)</li> <li>2. Substitute Materials.....22(c)</li> <li>3. Storage and Protection.....22(c)</li> <li>4. Redistribution.....22(d)</li> </ol> <p><b>D. Backfilling &amp; Grading.....(816/817.95-107)</b></p> <ol style="list-style-type: none"> <li>1. Exposed Openings.....816/817.13, 14, 15, &amp; 823.11 &amp; 21</li> <li>2. Contemporaneous Reclamation.....100</li> <li>3. Approximate Original Contour.....102(a)(1)</li> <li>4. Highwall Elimination.....102(a)(2)</li> <li>5. Steep Slopes (includes downslope).....107</li> <li>6. Handling of Acid &amp; Toxic Materials.....102(c)</li> <li>7. Stabilization (rills and gullies).....95(b)</li> </ol>	<p><b>E. Excess Spoil Disposal.....(816/817.71-74)</b></p> <ol style="list-style-type: none"> <li>1. Placement.....71(e)</li> <li>2. Drainage Control.....71(f)</li> <li>3. Surface Stabilization.....71(g)</li> <li>4. Inspections &amp; Certifications.....71(h)</li> </ol> <p><b>F. Coal Mine Waste (Refuse Piles/Impoundments) .....(816/817.81-84)</b></p> <ol style="list-style-type: none"> <li>1. Drainage Control.....83(a)</li> <li>2. Surface Stabilization.....83(b)</li> <li>3. Placement.....83(c)</li> <li>4. Inspections and Certifications.....83(d)</li> <li>5. Impounding Structures.....84</li> </ol> <p><b>G. Use of Explosives.....(816/817.61-68)</b></p> <ol style="list-style-type: none"> <li>1. Blaster Certification.....61(c)</li> <li>2. Distance Prohibitions.....61(d)</li> <li>3. Blast Survey/Schedule.....62-64</li> <li>4. Warnings &amp; Records.....66 &amp; 68</li> <li>5. Control of Adverse Effects.....67</li> </ol> <p><b>H. Subsidence Control Plan.....(817.121-122)</b></p> <p><b>I. Roads.....(816/817.150-151)</b></p> <ol style="list-style-type: none"> <li>1. Road Construction.....150(c)</li> <li>2. Certification.....151(a)</li> <li>3. Drainage.....150(b)-151(d)</li> <li>4. Surfacing and Maintenance.....150(e)-151(d)</li> <li>5. Reclamation.....150(f)</li> </ol> <p><b>J. Signs &amp; Markers .....(816/817.11)</b></p> <ol style="list-style-type: none"> <li>1. Signs.....11(a),(b),&amp;(c)</li> <li>2. Markers.....11(a),(b),(d),(e),&amp;(f)</li> </ol> <p><b>K. Distance Prohibitions.....(761.11)</b></p> <p><b>L. Revegetation.....(816/817.111-116)</b></p> <ol style="list-style-type: none"> <li>1. Vegetative Cover.....111 &amp; 116</li> <li>2. Timing.....113</li> </ol> <p><b>M. Postmining Land Use.....(816/817.133)</b></p>
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December 18, 2006

Sunnyside Cogeneration Associates (SCA)  
PO Box 159  
Sunnyside, UT 84539

Star Point Waste Pile, C/007/042  
Complete, oversight inspection  
December 6, 2006

Participants:

Rusty Netz, SCA  
Karl Housekeeper, Utah Division of Oil, Gas, and Mining (OGM)  
Henry Austin, Office of Surface Mining (OSM)

I conducted a complete, oversight inspection of the Star Point Waste Pile on December 6, 2006, as indicated above. The joint, OGM / OSM Evaluation Team selected this site for inspection. Weather conditions were cold and clear, and ground conditions were frozen. No offsite impacts were identified during the inspection.

I conducted a records review prior to the inspection at the OGM Salt Lake City offices on December 4, 2006. The review included the following: 8/9/06 Midterm permit review notification letter from OGM to the permittee, 9/30/06 verification letter regarding the Wells Fargo bond amount of \$1,263,514.76; 3<sup>rd</sup> quarter 2006 inspection reports are current for sediment ponds, 5-6 & 9; former slurry impoundments, refuse pile, and excess spoil (refuse) storage areas (the former slurry impoundments); no UPDES discharges have been documented during 2006, liability insurance is current through 8/1/07, and the 2005 annual report submitted 3/28/06 documents the 2005 refuse tonnage mined at 226, 569 tons. This concluded the records review with no problems noted.

We conducted our field inspection with stops and observations of the following: sediment pond 9 was frozen, snow covered, not discharging and appeared stable; road maintenance throughout them area appeared adequate with roadside ditches maintained; we discussed the phase I bond release process (backfilling & grading to the approved approximate original contour and surface water runoff control ) regarding demolition of unused structures on the site, sediment pond 5 which is the main surface water runoff coverage for the refuse pile redisturbance was stable and not discharging. The primary culvert outlet discharging into the upper end of the pond needs to be protected and we discussed this. We inspected the slurry pond area that is used to dispose of unwanted refuse and it was stable. Sediment pond 6 is stable. This concluded the field inspection.

Please address any questions concerning this inspection report to Henry Austin, Senior Reclamation Specialist, at [haustin@osmre.gov](mailto:haustin@osmre.gov) or to (303) 844-1400 x1466.