



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:	C0070042
Inspection Type:	PARTIAL
Inspection Date:	Tuesday, April 05, 2016
Start Date/Time:	4/5/2016 10:00:00 AM
End Date/Time:	4/5/2016 12:30:00 PM
Last Inspection:	Monday, April 04, 2016

Representatives Present During the Inspection:	
OGM	Amanda Daniels
OGM	Cheryl Parker
OGM	Lisa Reinhart
OGM	Priscilla Burton
OGM	Keenan Storrar
Company	Rusty Netz

Inspector: Keenan Storrar

Weather: Sunny, Breezy, 65 degrees

InspectionID Report Number: 5487

Accepted by:

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

152.93	Total Permitted
152.93	Total Disturbed
	Phase I
	Phase II
	Phase III

Mineral Ownership

- Federal
- State
- County
- Fee
- Other

Types of Operations

- Underground
- Surface
- Loadout
- Processing
- Reprocessing

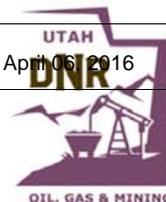
Report summary and status for pending enforcement actions, permit conditions, Division Orders, and amendments:

This mid-term inspection was conducted by Division technical staff with the operator Rusty Netz. The main issues the Division addressed and that were discussed with the Permittee included: bonding, hydrology, vegetation, engineering, the reclamation timeline, and the 1 to 2-year operation timeline. We first walked the disturbed area ditch 76 in the southwest corner of the permit area and the length of culvert 7F. We then inspected Ponds 5 and 6, and the hardened undisturbed bypass diversion to the south of Pond 6. Finally, we traveled to the north end of the permit area to inspect the Subsoil Pile.

Inspector's Signature:

Keenan Storrar,
Inspector ID Number: 71

Date Wednesday, April 06, 2016



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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.b Hydrologic Balance: Sediment Ponds and Impoundments	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.c Hydrologic Balance: Other Sediment Control Measures	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Slides and Other Damage	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Cessation of Operations	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.a Roads: Construction, Maintenance, Surfacing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16.b Roads: Drainage Controls	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Other Transportation Facilities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Support Facilities, Utility Installations	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. AVS Check	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. Air Quality Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. Bonding and Insurance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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

The Division has assigned this mid-term review to Task ID #5090.

3. Topsoil

There are 235,000 CY of substitute topsoil/subsoil stockpiled for final reclamation, all of which will be returned to the disturbed area at final reclamation (MRP Section 542.700, Table 542.200b and and Maps 542.200 c & d.) The subsoil pile was seeded in 1983. The MRP refers to the 1983 Annual Report for the seed mix, but the seed mix could not be located in the 1983 annual report. The subsoil pile is well vegetated with grasses and shrubs, but it is heavily used by burrowing animals. These burrows have contributed to severe erosion rills down the face of the pile. Mr. Netz will repair the rills by packing organic matter (straw or shrub cuttings) into the rill to slow flow and catch sediment to heal the rill over time. All sediment from the stockpile reports to a catch basin.

4.a Hydrologic Balance: Diversions

The Permittee was notified to maintain the straw bale check dams at the end of ditch 76 just before flow is routed into culvert 7F (Photo 1). The check dams appeared to be filled to capacity and piping was present underneath one of the structures.

The Riprap energy dissipation basin at the end of ditch 14 needs immediate repair (Photos 2 and 3). An eight foot gully is being scoured at the end of the ditch. The gully is head-cutting underneath the shotcrete creating an unsafe situation (Photo 4). The Permittee is given two weeks to address this issue.

4.b Hydrologic Balance: Sediment Ponds and Impoundments

Sediment Pond 5 needs maintenance. There is an un-designed inlet draining water from the road into the pond on its northeastern embankment (Photos 5 through 8). This gully inlet is contributing a significant amount of sediment to this pond and may cause short circuiting if the pond discharges. The road must be graded appropriately to divert runoff to the SC basin and the gully must be repaired.

Sediment Pond 5 and 6 are slated for sediment removal. Pond 6 appears to be very full of sediment. The decant pipe is almost covered with sediment (Photo 9).

4.c Hydrologic Balance: Other Sediment Control Measures

The Subsoil Pile north of the main road needs maintenance. There are a few major gullies on the pile that need to be stabilized (Photo 10). Runoff from the northernmost gully flowing into the diversion ditch needs to be re-routed to flow into the SC basin (Photo 11). It was discussed with the Permittee that the re-routing should cause as little disturbance as possible to the vegetation currently growing at the base of the gully. The fear is that if the vegetation is disturbed too much a larger gully may be formed that will cause even more trouble.

6. Disposal of Excess Spoil, Fills, Benches

The Permittee said it takes roughly a year to mine one eight to nine foot lift. During winter operations bulldozers push up refuse into large piles for easier loading and to help control moisture. There were still large winter piles present on Refuse Pile A (Photo 12).

7. Coal Mine Waste, Refuse Piles, Impoundments

The Permittee continues operations removing the refuse piles as seen in Photo 12. The annual report was submitted by the end of March detailing the current operation elevations on the waste piles in 2013 in relation to contours flown in 2010. Mr. Netz estimated the current lift is at 7,420 ft. elevation (which is 50 ft. below the 2013 surface contour in the middle of Area A and about 30 feet above native ground.

8. Noncoal Waste

The site was clear of all noncoal mine waste at the time of the inspection.

11. Contemporaneous Reclamation

The Permittee has plans to reclaim approximately 25 acres on the south/south west edge of Refuse Pile A in the next few years. Prior to reclaiming this area, Refuse Pile A must be brought down by one or two lifts. Once the pile is lowered a new disturbed area diversion will be constructed to channel flow into Pond 5. The reclamation will remove ditch 76 and Culvert 7F.

12. Backfilling And Grading

The site is still operating with an excavator loading over-highway trucks to transport waste to the Sunnyside Cogen plant. No reclamation activities were taking place at the time of inspection

16.a Roads: Construction, Maintenance, Surfacing

All ancillary roads on the site were in working order and maintained as described within the MRP. All ditches were maintained controlling drainage to the appropriate reporting ponds (photo 12). The only primary haul road is located through the refuse mining operations and is maintained as the refuse pile is mined. The Permittee stated that all roads receive a dust control at a minimum of two times a day.

16.b Roads: Drainage Controls

A large gully is forming on the old ancillary road on the southwest corner of Refuse Pile A (Photo 13). This was going to be an access road for a well pad operation, but there are no longer plans to install the well pad. Berms have been constructed perpendicular to the grade of the road to slow drainage, however in many cases the berms have filled with sediment and have failed at the lowest 'spillway' point along the berm (Photo 14). Gullying along this road must be addressed.

Permit Number: C0070042
Inspection Type: PARTIAL
Inspection Date: Tuesday, April 05, 2016

21. Bonding and Insurance

The bonding of the mine is currently under review as part of the midterm and all comments associated with this task will be addressed in Task ID #5090 bonding analysis.

ATTACHMENT A – Photos Star Point Waste Fuel Refuse, April 05, 2016 site visit



PHOTO 1

Ditch 76 straw bale check dams need maintenance.
April 05, 2016



PHOTO 2

Gully at end of ditch 14 needs immediate repair.
April 05, 2016



PHOTO 3

Gully at end of ditch 14 needs immediate repair.
April 05, 2016



PHOTO 4

Gully at end of ditch 14 needs immediate repair.
April 05, 2016

ATTACHMENT A – Photos Star Point Waste Fuel Refuse, April 05, 2016 site visit



PHOTO 5

Pond 5: Un-designed inlet draining to pond
April 05, 2016



PHOTO 6

Pond 5: Un-designed inlet draining to pond
April 05, 2016



PHOTO 7

Pond 5: Walking on sediment deposited from undersigned inlet.
April 05, 2016



PHOTO 8

Pond 5: Sediment deposition close to outlet.
April 05, 2016

ATTACHMENT A – Photos Star Point Waste Fuel Refuse, April 05, 2016 site visit



PHOTO 9
Standing at decant inlet Pond 6.
April 05, 2016



PHOTO 10
Gullies on Subsoil Pile need maintenance.
April 05, 2016



PHOTO 11
Standing at gully that needs to be re-routed into the SC basin.
April 05, 2016



PHOTO 12
Winter dozer piles.
April 05, 2016

ATTACHMENT A – Photos Star Point Waste Fuel Refuse, April 05, 2016 site visit



PHOTO 13
Gulying on ancillary road.
April 05, 2016



PHOTO 14
Berm failure and gulying on ancillary road.
April 05, 2016