

0041

Sunnyside Coal Company

Operations • Highway 123 • P.O. Box 99 • Sunnyside, Utah 84539

ACT 007/007
Mine file RB
DRN
RON D.
LPR - file in N.E.

June 14, 1991

RECEIVED

JUN 17 1991

DIVISION OF
OIL GAS & MINING

Mr. Lowell P. Braxton
Utah Division of Oil, Gas & Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

Dear Lowell:

Re: Highway 123 State & County Jurisdiction

Per your letter dated April 1, 1991, Sunnyside Coal Company has contacted State and County government agencies in regard to the jurisdiction of Highway 123.

Enclosed are letters from the Utah Department of Transportation and Carbon County. Both agencies have provided the material that was requested in your April 1, 1991, letter.

It should become clear that Highway 123 is a public road and that Sunnyside Coal has no jurisdiction on maintenance or right to restrict access. Therefore, Sunnyside Coal Company should not be forced to assume any permit liability on this or any other public road.

If I can be of further help, please contact me.

Sincerely,

Karl R. Houskeeper
Environmental Coordinator

KRH:th

Enclosures

cc: Joe Fielder
Gary Gray

Corporate Offices
The Registry
1113 Spruce Street
Boulder, CO 80302
303-938-1506
FAX: 303-938-5050

Sales Office
1350 17th Street
Suite 350
Denver, CO 80202
303-534-3348
FAX: 303-825-8626

West Coast Division
1345 Astoria Drive
Fairfield, CA 94533
707-425-4506

Operations
Highway 123
P.O. Box 99
Sunnyside, UT 84539
801-888-4421
FAX: 801-888-2581



RECEIVED

JUN 17 1991

DIVISION OF
OIL GAS & MINING

CARBON COUNTY
PRICE, UTAH 84501

June 12, 1991

Sunnyside Coal Company
Karl R. Houskeeper
P.O. Box 90
Sunnyside, UT 84539

Re: Highway 123 between the Junction with Highway 124 and the Sunnyside Mine, crossing portions of Section 32, Township 14 South, Range 14 East, portions of Section 6, Township 15 South, Range 14 East and Section 1, Township 14 South, Range 13 East, SLBM

In response to the letter from the Utah Division of Oil, Gas and Mining regarding whether the above road is a public road, we provide the following information:

1. The above road is a public road pursuant to the laws of Carbon County, Utah.

2. a. It is not possible to give the exact date that this road was designated a public road. In fact, I do not believe that this road has ever been other than a public road.

b. This road is included in the Carbon County road system.

c. The road is classified as a Class B road within the public road system, and Carbon County has numerous other Class B roads within its system.

3. Carbon County has expended the following amounts of public funds for maintenance of the road for the identified years:

a.	1990	\$ 1,848.00
b.	1989	\$ 0.00
c.	1988	\$ 3,463.00

4. These maintenance costs are very similar to other Class B roads in Carbon County. In some years the road requires a great deal of maintenance, and in other years, very little is required. The amount of public maintenance money spent also depends on the amount of money available, and the priority of the requirements for a particular road, all of which is determined year by year.

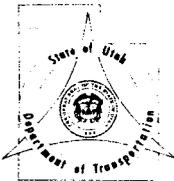
5. The construction standards for this road are similar to other roads of the same classification in Carbon County.

6. Sunnyside Coal Company does not have the ability to deny public access to this road. The road is used by local residents, and members of the public for access to recreational areas, including sportsmen for hunting purposes, hikers and sightseers, and also livestock owners for access to grazing areas.

If other information is needed, Carbon County will be happy to provide the same.



William D. Krompel, Commissioner



State of Utah

UTAH DEPARTMENT OF TRANSPORTATION

Eugene H. Findlay, C.P.A.
Director
Howard Richardson
Assistant Director
Steve R. Noble
District Four Director

Route #3 Box 75C5
940 South Carbon Avenue
Price, Utah 84501
(801) 637-1100
(801) 637-9538 (Fax)

TRANSPORTATION COMMISSION

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Todd G. Weston
James G. Larkin
Elva H. Anderson
Secretary

June 3, 1991

Mr. Karl R. Houskeeper
Environment Coordinator
Sunnyside Coal Co.
Sunnyside, Utah 84539

Dear Mr. Housekeeper:

Attached is the information you requested concerning State Highway 123, from the Jct of State Highway 124 to the Sunnyside Mine.

If you need additional information, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Kenneth Adair".

Kenneth Adair
District Maintenance Engineer

KA/rha

cc: Central Record
Central Files
District Files

Page 2
Mr. Joe Fielder
April 1, 1991

In order to facilitate this analysis, you will need to secure a signed letter from Carbon County discussing the following topics:

1. The above-referenced road is/is not a public road pursuant to the laws of that jurisdiction. *is a public road*
2. Designation of a public road: *STATE Highway Class A*
 - a. When was the designation first established? *194?*
 - b. In which governmental system is the road included? *STATE Highway System*
 - c. How is it classified within the public road system, and are there similar roads within the jurisdiction? *STATE highway Class A. FAS-294 Major Collector*
3. What public funds have been expended in maintaining the road for the following years:
 - a. 1990 - *\$3272.55*
 - b. 1989 - *3707.04*
 - c. 1988 - *36,882.42*
4. How maintenance expenditures compare with other public roads of the same classification within the jurisdiction? *same*
5. How construction standards for this road compare with roads of similar classification within the jurisdiction? *Higher Standard*
6. Whether Sunnyside Coal Company has the ability to deny public access to this road? *No*

Please provide the requested information within 60 days of receipt of this letter.

If you have questions concerning the above process, please feel free to call Lowell Braxton or Ron Daniels.

Sincerely,

Lowell P. Braxton
Lowell P. Braxton
Associate Director, Mining

vb
cc: D. Nielson
R. Daniels
MI78/92&93

EXPENDITURE REPORT FOR SUNNYSIDE COAL

STATION 434 - WELLINGTON

STATE ROUTE 123, M.P. 8.70 TO 11.39

TASK	DESCRIPTION	FY-1988	FY-1989	FY-1990
D07	LANE LEVELING	205.53		
D08	BITUMINOUS SEAL COAT	28,329.03		
S32	MOWING	82.56	157.26	
D34	CHECMICAL CONTROL OF VEG.	361.35	413.55	61.74
D35	CUTTING BRUSH		1,101.18	346.08
S38	ANNUAL LITTER CONTROL	114.96	140.91	89.19
S39	LITTER CONTROL	138.96	68.16	40.08
S45	OTH ROUTINE ROADSIDE MAINT	46.77	71.37	
S51	ROUTINE DRAIN.	997.11	301.02	359.73
S55	EROSION REPAIR		940.77	309.54
S57	DRAINAGE INSPECTION			42.87
D61	SPECIAL DRAINAGE/STRUCTURE	1,592.82		
S64	SIGN & POST MAINT.	381.72	245.88	827.70
S65	SIGN REPLACEMENT/VALDALISM			127.02
S68	DELINEATOR MAINT.	478.98	312.24	330.60
S69	SWEEPING	477.84		
D71	PAINTING GUIDELINES	3,665.43		738.00
M03	CONTRACTUAL MAINTENANCE		45.30	
M91	OTHER GENERAL ACTIVITIES	9.36		
TOTAL		\$36,882.42	\$3,797.64	\$3,272.55
GRAND TOTAL ALL YEARS			\$43,952.61	

NOTE: Does not include snow removal operations!