



# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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May 26, 1993

TO: Pamela Grubaugh-Littig, Permit Supervisor

FROM: Jess Kelley, Reclamation Engineer *JK*

RE: Present Status of Amendment 93A (Removal of SCA Permit Area From SCC Permit Area) and Amendment 93B (Reduction of SCC Bond Due to Removal of SCA Permit Area From SCC Permit Area), Sunnyside Coal Company, Sunnyside Mine, ACT/007/007-93A and ACT/007/007-93B, Folder #2, Carbon County, Utah

## SYNOPSIS

The Division received Amendment 93A on January 19, 1993. Amendment 93A is a proposal to remove the Sunnyside Cogeneration Associates (SCA) property from the Sunnyside Coal Company (SCC) permit area, since the SCA property is now a separately permitted site.

The Division received Amendment 93B on March 16, 1993. Amendment 93B is a proposal to reduce the SCC bond by the amount required to reclaim the SCA property, which is no longer to be the responsibility of Sunnyside Coal Company. Amendment 93B is a Significant Revision due to R645-302-224.500, which automatically defines as a Significant Revision any reduction in the performance bond.

## ANALYSIS

Amendment 93A cannot be approved because the Division has not yet received a valid final operating agreement between SCA and SCC. Though the SCA property is no longer to be the responsibility of SCC, SCC will continue to dispose of waste and slurry material on the SCA property for SCA's consumption, and so the operation of that property and the respective responsibilities of SCC and SCA must be clearly set forth. Thus, the submittal for Amendment 93A is, at this time, incomplete.



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Amendment 93B cannot be approved until Amendment 93A is approved, since the reduction in the bond is conditional upon the removal of the SCA property from the SCC permit area. Thus, the submittal for Amendment 93B is also, at this time, incomplete.

### RECOMMENDATIONS

It is recommended that Amendments 93A and 93B *not* be approved until the permittee has submitted and the Division has approved a valid operating agreement between SCA and SCC.

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