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DEPARTMENT OF NATURAL RESOURCES
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May 26, 1993

TO: Pamela Grubaugh-Littig, Permit Supervisor

FROM: Jess Kelley, Reclamation Engineer *JK*

RE: Division Response to Ten-Day Notice (TDN) X93-02-352-005 TV007, Deficiency 5 of 7 (Failure to include power lines within the disturbed area boundary), Sunnyside Coal Company, Sunnyside Mine, ACT/007/007, Folder #2, Carbon County, Utah

SYNOPSIS

On April 30, 1993, the Division received Ten-Day Notice (TDN) X93-02-352-005 TV007 from the Albuquerque Field Office of OSM (AFO). Deficiency 5 of 7 of the TDN is the "[f]ailure [of the permittee] to include power lines within the disturbed area boundary." The power line to which the TDN specifically refers is the "[p]owerline running onto and providing electricity (sic) to the mine."

On May 3, 1993, the Division responded to the TDN in a letter from Lowell Braxton to Robert Hagen of AFO. Responding to deficiency 5 of 7, the Division maintains that utility corridors within the permit area do not necessarily have to be included as part of the disturbed area.

In determining who is responsible for the power lines in the Sunnyside permit area, I have spoken several times with Lynn Day, head engineer of the Spanish Fork Office of Utah Power & Light Company, and with Gary Grey of Sunnyside Coal Company. They have also spoken with one another. I spoke most recently with both men on May 26, 1993, and they had sorted out the matter.

There are three power lines which cross the Sunnyside permit area.

The first is a 46 kV line which supplies the town of East Carbon. This line enters the permit area from the south, makes a turn to the west, and exits the permit area near the town of East Carbon. This line has nothing to do with the Sunnyside mine and is the responsibility of Utah Power & Light Company. It will remain to serve the town of East Carbon after final reclamation of the Sunnyside mine site.



The second is a 12kV line which follows State Highway 123 and the county road to the end of Whitmore Canyon. This line supplies power to the Sunnyside Coal Company facilities at the upper end of Whitmore Canyon (Whitmore Fan, Hoist, etc.) and to several facilities which are not related to Sunnyside Coal Company as well. This line is also the responsibility of Utah Power & Light Company. It will also remain after final reclamation of the Sunnyside mine site.

The third is a 46 kV line which enters the permit area from a meter station at the south end of the permit area and runs the length of the Sunnyside mine site. This line supplies power to most of the Sunnyside main facilities, including the shop, the office, and the preparation plant, and is the line with which the TDN deals. This line was installed by the predecessor of Sunnyside Coal Company. It is maintained by Sunnyside Coal Company and will be removed by the Company during final reclamation of the mine site. The approved Sunnyside permit and reclamation cost estimate provide for removal of this line.

ANALYSIS

As mentioned above, Sunnyside Coal Company is solely responsible for both the maintenance and the final reclamation of the power line with which the TDN deals. The exclusive responsibility of Sunnyside Coal Company for this power line makes the power line unlike a regular utility line, which is normally not included in the disturbed area. Thus, it appears that the Division's May 3, 1993 response to this part of the TDN is mistaken and that a corridor along which the power line runs should be included as part of the disturbed area.

RECOMMENDATIONS

It is recommended that the permittee be required, by Division Order, to include the power line mentioned in the TDN as part of the disturbed area.