

Pam, 9/1

This one can finally be approved and should be inserted into their plan.

I'm not sure what we need to get as far as copies?

I believe Joe is taking care of the Termination of the NOV.

Thanks
Dano



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

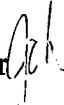
Michael O. Leavitt
Governor

Ted Stewart
Executive Director

James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

August 31, 1994

TO: Joe Helfrich, Compliance Coordinator 

FROM: Wayne H. Western, Reclamation Supervisor *W HW*

RE: As-builts fro Hoist House and Upper No. 2 Canyon Sediment Pond NOV 93-32-3-8 #2 of 8, Sunnyside Coal Company, Sunnyside Mine, ACT/007/007, File #2, Carbon County, Utah

The Division has examined the as-built drawing for the Hoist House and Upper No. 2 Canyon sediment ponds at the Sunnyside Mine. Both ponds have volumes that meet or exceed design specifications.

The required sediment storage volume for the Hoist House pond is 1.24 acre-feet and a volume of 1.89 acre-feet from the pond's bottom to the emergency spillway. The as-built shows the pond has a sediment storage capacity of 1.9 acre-feet and the volume from the bottom to the emergency spillway is 2.545 acre-feet.

The Upper No. 2 Canyon pond is required to have a volume of 0.26 acre-feet after sediment cleanout; the as-built shows the pond has a volume of 0.360 acre-feet. The volume to the emergency spillway shown on the as-built to be 0.237 acre-feet, while the requirement is 0.19 acre-feet.

cc: D. Haddock
P. Grubaugh-Littig
SUNPOND.WHW



SUNNYSIDE COAL COMPANY

Debtor in Possession

1113 Spruce Street
Boulder, Colorado 80302
(303) 938-1506
Facsimile: (303) 938-5005

August 24, 1994

Mr. Joe Helfrich
Division of Oil, Gas and Mining
Land Quality Division
3 Triad Center, Suite 350
Salt Lake City, UT 84180-1203

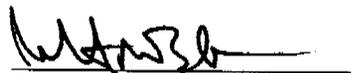
Re: NOV 93-32-3-8 #2 of 8

Dear Joe

Sunnyside Mine has completed the surveying and as-built drawings for the Upper No. 2 Canyon and the Hoist House sediment ponds. Enclosed are three copies of each as-built for your review and approval. Additional copies will be provided on your request.

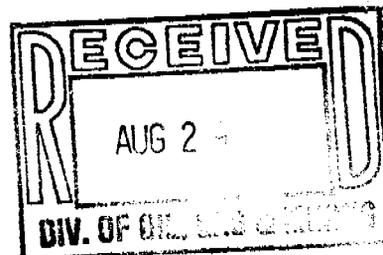
Thank you for your understanding and cooperation in this matter.

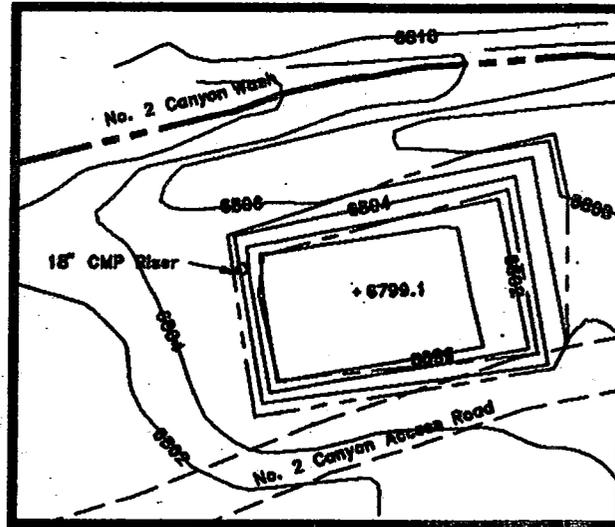
Sincerely,



Robert M. Burnham
President

8/29
Joe/Daron -
These are the as-builts.
RAM
ACR/003/003 #5
Copy RAM
93CC





PLAN VIEW
UPPER NO. 2 SEDIMENT POND
SCALE 1" = 50'

18" DIA. RISER
PRINCIPAL SPILLWAY
STAGED FLOW CAPACITY

ELEVATION (FT)	INLET HEAD (FT)	RISER CAPACITY (CFS)
6804.2	0.0	0.00
6804.3	0.1	0.50
6804.4	0.2	1.42
6804.5	0.3	2.61
6804.6	0.4	4.01
6804.7	0.5	5.61
6804.8	0.6	6.84
6804.9	0.7	7.17
6805.0	0.8	7.67

18" DIA. CMP OUTLET
FLOW CAPACITY

	FULL FLOW NO HEAD	FULL FLOW 1.5' HEAD
DIAMETER (FT.)	1.50	1.50
SLOPE (FT./FT.)	0.012	0.012
MANNING'S n	0.024	0.014
HEADWATER (FT.)	1.50	3.00
DISCHARGE (CFS)	6.23	9.88
VELOCITY (FT./SEC.)	3.53	5.65

CAPACITY TABLE

ELEVATION	STORAGE ACRE- FEET	COMMENTS
6805.0		EFFECTIVE TOP OF EMBANKMENT
	0.053	VOLUME DEDICATED TO FREEBOARD
6804.2		TOP OF EMERGENCY SPILLWAY
	0.237	VOLUME BETWEEN SEDIMENT STORAGE AND EMERGENCY SPILLWAY
6801.1		TOP OF SEDIMENT STORAGE ELEVATION
	0.070	SEDIMENT STORAGE VOLUME
6799.1		BOTTOM OF NO. 2 CANYON UPPER SEDIMENT POND
	0.360	TOTAL POND VOLUME (AFTER CLEANOUT)
	0.307	VOLUME TO EMERGENCY SPILLWAY

CONTOURS BASED ON AERIAL PHOTOGRAPHY
FLOWN IN AUGUST, 1993 AND INTERPRETED
BY KLH-ITS, GRAND JUNCTION, COLORADO

THIS DRAWING PRODUCED BY JMC COMPANIES
LAKEWOOD, COLORADO
FROM SUNNYSIDE COAL COMPANY INFORMATION

THIS DRAWING HAS BEEN REVIEWED BY
ME AND IS FOR THE BEST OF
MY KNOWLEDGE AND INFORMATION
25705
REGISTERED PROFESSIONAL ENGINEER
STATE OF COLORADO
DATED: 8/19/94

Sunnyside
Coal Company

Project: UPPER NO. 2 CANYON SEDIMENT POND
AS-BUILT DESIGN

By	Date	Scale	Date
Drawn By: RHF	8/94	AS NOTED	6/18/94
Checked:			Sheet 1 of 1
Approved:		ACAD NAME UPSD1	Dwg. No.
Approved:			

Amendment file
#3 Copy AM

PERMIT AMENDMENT APPROVAL

Title: <u>Hoist House and Upper #2 Canyon Pond</u>	PERMIT NUMBER: <u>067/067</u>
Description: <u>As built drawings for Hoist House Pond and Upper #2 Canyon Ponds</u>	PERMIT CHANGE #: <u>93CC</u>
	MINE: <u>Sunnyside</u>
	PERMITTEE: <u>Sunnyside Coal</u>

WRITTEN FINDINGS FOR PERMIT APPLICATION APPROVAL

	YES, NO or N/A
1. The application is complete and accurate and the applicant has complied with all the requirements of the State Program.	Yes
2. The proposed permit area is not within an area under study or administrative proceedings under a petition, filed pursuant to R645-103-400 or 30 CFR 769, to have an area designated as unsuitable for coal mining and reclamation operations, unless:	Yes
A. The applicant has demonstrated that before January 4, 1977, substantial legal and financial commitments were made in relation to the operation covered by the permit application, or	Yes
B. The applicant has demonstrated that the proposed permit area is not within an area designated as unsuitable for mining pursuant to R645-103-300 and R645-103-400 or 30 CFR 769 or subject to the prohibitions or limitations of R645-103-230.	Yes
3. For coal mining and reclamation operations where the private mineral estate to be mined has been severed from the private surface estate, the applicant has submitted to the Division the documentation required under R645-301-114.200.	Yes
4. The Division has made an assessment of the probable cumulative impacts of all anticipated coal mining and reclamation operations on the hydrologic balance in the cumulative impact area and has determined that the proposed operation has been designed to prevent material damage to the hydrologic balance outside the permit area.	Yes
5. The operation would not affect the continued existence of endangered or threatened species or result in destruction or adverse modification of their critical habitats, as determined under the Endangered Species Act of 1973 (16 U.S.C. 1531 et.seq.).	Yes
6. The Division has taken into account the effect of the proposed permitting action on properties listed on and eligible for listing on the National Register of Historic Places. This finding may be supported in part by inclusion of appropriate permit conditions or changes in the operation plan protecting historic resources, or a documented decision that the Division has determined that no additional protection measures are necessary.	Yes
7. The Applicant has demonstrated that reclamation as required by the State Program can be accomplished according to information given in the permit application.	Yes
8. The Applicant has demonstrated that any existing structure will comply with the applicable performance standards of R645-301 and R645-302.	Yes
9. The Applicant has paid all reclamation fees from previous and existing coal mining and reclamation operations as required by 30 CFR Part 870.	Yes
10. The Applicant has satisfied the applicable requirements of R645-302.	NA
11. The Applicant has, if applicable, satisfied the requirements for approval of a long-term, intensive agricultural postmining land use, in accordance with the requirements of R645-301-353.400.	NA

SPECIAL CONDITIONS OR STIPULATIONS TO THE PERMIT AMENDMENT APPROVAL

	YES	NO
1. Are there any variances associated with this permit amendment approval? If yes, attach.		X
2. Are there any special conditions associated with this permit amendment approval? If yes, attach.		X
3. Are there any stipulations associated with this permit amendment approval? If yes, attach.		X

The Division hereby grants approval for Permit Amendment to the Existing Permit by incorporation of the proposed changes described herein and effective the date signed below. All other terms and conditions of the Existing Permit shall be maintained and in effect except as superseded by this Permit Amendment.

Signed *Dawn R. Hedcock*

 _____, Division of Oil, Gas and Mining

9/1/94

 EFFECTIVE DATE



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
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July 13, 1994

Mr. Robert Burnham, President
BXG Inc.
The Registry
113 Spruce Street, Ste 301
Boulder, CO 80302

Re: Inadequate Ponds, Sunnyside Coal Company, Sunnyside Mine, ACT/007/007-93CC,
Folder #3, Carbon County, Utah

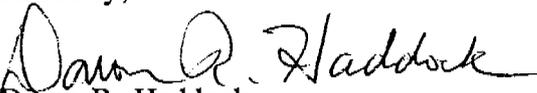
Dear Mr. Burnham:

The Division has completed a review of the as-built drawings for the Upper No. 2 Canyon and Hoist House sediment ponds submitted on June 29, 1994. Both ponds were found to be slightly undersized and they will need to be enlarged so that they will have adequate storage capacity. NOV N93-32-3-8 part 2 of 8 is considered to still be in effect.

The Hoist House pond has a volume of 1.225 acre-feet of sediment storage, but needs 1.24 acre-feet. The volume to the emergency spillway is 1.833 acre-feet instead of 1.89 acre-feet. The Upper No. 2 Canyon sediment pond has a volume of 0.235 acre-feet after cleanout, but needs 0.26 acre-feet. The volume to the emergency spillway is 0.185 acre-feet while 0.19 acre-feet is required.

Modification of both ponds is needed in order for Sunnyside Mine to be in compliance with the Utah Coal Regulatory Program. Please modify the ponds appropriately and submit revised as-builts by no later than August 11, 1994 in order to abate NOV N93-32-3-8. Your cooperation is appreciated. Please call if you have questions.

Sincerely,


Daron R. Haddock
Permit Supervisor

cc: J. Helfrich
W. Western
H. Sauer
P. Grubaugh-Littig
Mike Elder



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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355 West North Temple
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Salt Lake City, Utah 84180-1203
801-538-5340
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801-538-5319 (TDD)

TO: Joe Helfrich, Compliance Supervisor *JGH*
FROM: Wayne H. Western, Reclamation Engineer *WHW*
DATE: July 11, 1994
RE: Upper No. 2 Canyon and Hoist House Sediment Pond Modifications,
Sunnyside Coal Company, Sunnyside Mine, ACT/007/007, Folder #2, Carbon
County, Utah

SYNOPSIS

On June 28, 1994 Sunnyside Coal Company submitted as-built drawings for the Upper No. 2 Canyon and Hoist House sediment ponds. The original pond drawing was missing from the Division's files, so the consulting firm which designed and certified the ponds was contacted.

On July 11, 1994 I called Mike Elder to verify that the ponds had been constructed to plans. Mr. Elder informed me that during modification of the Hoist House pond a powerline had been encountered and the pond had to be redesigned. **We compared the volumes of the designed ponds and as-built and discovered that both ponds are too small.**

ANALYSIS

The Hoist House pond has a volume of 1.225 acre-feet of sediment storage, but needs 1.24 acre-feet, and the volume to the emergency spillway is 1.833 acre-feet instead of 1.89 acre-feet. The Upper No. 2 Canyon sediment pond has a volume of 0.235 acre-feet after cleanout but needs 0.26 acre-feet. The volume to the emergency spillway is 0.185 acre-feet while 0.19 acre-feet is required. Mr. Elder said that both ponds were undersized and needed to be enlarged.

RECOMMENDATION

The Operator has failed to abate the violation. Both ponds must be modified so that they each have adequate storage capacity.

: Daron Haddock
Pamela Grubaugh-Littig
SUNSED.WHW



PERMIT CHANGE TRACKING FORM

DATE RECEIVED	6/29/94	PERMIT NUMBER	ACT/007/002
Title of Proposal:	Upper No. 2 Basin	PERMIT CHANGE #	94 93ll
Description:	Sediment Pond As-Built Drawings	PERMITTEE	SLC
		MINE NAME	Sunrise Mine

<p style="font-size: small;">Submitted as Abatement of N93-35-3-8, 2008.</p> <input type="checkbox"/> 15 DAY INITIAL RESPONSE TO PERMIT CHANGE APPLICATION	DATE DUE	DATE DONE	RESULT
			<input type="checkbox"/> ACCEPTED <input type="checkbox"/> REJECTED
<input type="checkbox"/> Notice of Review Status of proposed permit change sent to the Permittee.			Permit Change Classification
<input type="checkbox"/> Request additional review copies prior to Division/Other Agency review.			<input type="checkbox"/> Significant Permit Revision
<input type="checkbox"/> Notice of Approval of Publication. (If change is a Significant Revision.)			<input type="checkbox"/> Permit Amendment
<input type="checkbox"/> Notice of request to modify proposed permit change prior to approval.			<input type="checkbox"/> Incidental Boundary Change

REVIEW TRACKING	INITIAL REVIEW		MODIFIED REVIEW		FINAL REVIEW AND FINDINGS	
DOGM REVIEWER	DUE	DONE	DUE	DONE	DUE	DONE
<input type="checkbox"/> Administrative _____						
<input checked="" type="checkbox"/> Biology _____						
<input checked="" type="checkbox"/> Engineering <i>Wayne</i>	7/15	7/11				
<input type="checkbox"/> Geology _____						
<input type="checkbox"/> Soils _____						
<input type="checkbox"/> Hydrology _____						
<input type="checkbox"/> Bonding _____						
<input type="checkbox"/> AVS Check _____						

COORDINATED REVIEWS	DUE	DONE	DUE	DONE	DUE	DONE
<input type="checkbox"/> OSMRE						
<input type="checkbox"/> US Forest Service						
<input type="checkbox"/> Bureau of Land Management						
<input type="checkbox"/> US Fish and Wildlife Service						
<input type="checkbox"/> US National Parks Service						
<input type="checkbox"/> UT Environmental Quality						
<input type="checkbox"/> UT Water Resources						
<input type="checkbox"/> UT Water Rights						
<input type="checkbox"/> UT Wildlife Resources						
<input type="checkbox"/> UT State History						
<input type="checkbox"/> Other						

<input type="checkbox"/> Public Notice/Comment/Hearing Complete (If the permit change is a Significant Revision)	<input type="checkbox"/> Permit Change Approval Form signed and approved effective as of this date. <input type="checkbox"/> Permit Change Denied.
<input type="checkbox"/> Copies of permit change marked and ready for MRP.	<input type="checkbox"/> Notice of <input type="checkbox"/> Approval <input type="checkbox"/> Denial to Permittee.
<input type="checkbox"/> Special Conditions/Stipulations written for approval.	<input type="checkbox"/> Copy of Approved Permit Change to File.
<input type="checkbox"/> TA and CHIA modified as required.	<input type="checkbox"/> Copy of Approved Permit Change to Permittee.
<input type="checkbox"/> Permit Change Approval Form ready for approval.	<input type="checkbox"/> Copies to Other Agencies and Price Field Office.

SUNNYSIDE COAL COMPANY

Debtor in Possession

1113 Spruce Street
Boulder, Colorado 80302
(303) 938-1506
Facsimile: (303) 938-5005

June 28, 1994

Mr. Joe Helfrich
Department of Oil, Gas and Minerals
State of Utah Natural Resources
355 W. North Temple, Suite 350
Salt Lake City, UT 84180-1203

Q3CC

Re: NOV 93-32-3-8, #2 of 8, Hoist House Pond & Upper No. 2 Canyon As-builts

Dear Joe:

Attached please find copies of the Hoist House Pond and Upper No. 2 Canyon Pond as-builts.

Sincerely,

Robert M. Burnham

Robert M. Burnham
President

cc: Mike Elder

File: 40628jh.wp



PERMIT CHANGE TRACKING FORM

DATE RECEIVED	6/29/94	PERMIT NUMBER	ACT/087/087
Title of Proposal:	Upper No. 2 Canyon	PERMIT CHANGE #	93CC 93CC
Description:	Sediment Pond As-Built Drawings	PERMITTEE	SCC
		MINE NAME	Summitside Mine

Submitted as Attachment of N93-32-3-8, 30, 8.

<input type="checkbox"/> 15 DAY INITIAL RESPONSE TO PERMIT CHANGE APPLICATION	DATE DUE	DATE DONE	RESULT
<input type="checkbox"/> Notice of Review Status of proposed permit change sent to the Permittee.			<input type="checkbox"/> ACCEPTED <input type="checkbox"/> REJECTED
<input type="checkbox"/> Request additional review copies prior to Division/Other Agency review.			Permit Change Classification
<input type="checkbox"/> Notice of Approval of Publication. (If change is a Significant Revision.)			<input type="checkbox"/> Significant Permit Revision
<input type="checkbox"/> Notice of request to modify proposed permit change prior to approval.			<input type="checkbox"/> Permit Amendment
			<input type="checkbox"/> Incidental Boundary Change

REVIEW TRACKING	INITIAL REVIEW		MODIFIED REVIEW		FINAL REVIEW AND FINDINGS	
DOGM REVIEWER	DUE	DONE	DUE	DONE	DUE	DONE
<input type="checkbox"/> Administrative _____						
<input type="checkbox"/> Biology _____						
<input type="checkbox"/> Engineering <i>Wayne</i> _____		<i>7/15</i>				
<input type="checkbox"/> Geology _____						
<input type="checkbox"/> Soils _____						
<input type="checkbox"/> Hydrology _____						
<input type="checkbox"/> Bonding _____						
<input type="checkbox"/> AVS Check _____						

COORDINATED REVIEWS	DUE	DONE	DUE	DONE	DUE	DONE
<input type="checkbox"/> OSMRE						
<input type="checkbox"/> US Forest Service						
<input type="checkbox"/> Bureau of Land Management						
<input type="checkbox"/> US Fish and Wildlife Service						
<input type="checkbox"/> US National Parks Service						
<input type="checkbox"/> UT Environmental Quality						
<input type="checkbox"/> UT Water Resources						
<input type="checkbox"/> UT Water Rights						
<input type="checkbox"/> UT Wildlife Resources						
<input type="checkbox"/> UT State History						
<input type="checkbox"/> Other						

<input type="checkbox"/> Public Notice/Comment/Hearing Complete (If the permit change is a Significant Revision)	<input type="checkbox"/> Permit Change Approval Form signed and approved effective as of this date. <input type="checkbox"/> Permit Change Denied.
<input type="checkbox"/> Copies of permit change marked and ready for MRP.	<input type="checkbox"/> Notice of <input type="checkbox"/> Approval <input type="checkbox"/> Denial to Permittee.
<input type="checkbox"/> Special Conditions/Stipulations written for approval.	<input type="checkbox"/> Copy of Approved Permit Change to File.
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<input type="checkbox"/> Permit Change Approval Form ready for approval.	<input type="checkbox"/> Copies to Other Agencies and Price Field Office.

