

0038



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

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cc Fax

June 8, 1994

Mr. Robert M. Burnham, President
Sunnyside Coal Company
1113 Spruce Street
Boulder, CO 80302

Re: Conditional Approval of Removal of Water Canyon Refuse Pile from the Disturbed Area in the Sunnyside Mine Permit Area, Sunnyside Mine, Sunnyside Coal Company, ACT/007/007-92D, Folder #3, Carbon County, Utah

Dear Mr. Burnham:

Sunnyside Coal Company resubmitted a permit change to remove the Water Canyon Refuse Pile from the disturbed area of the permit area on January 25, 1993, ACT/007/007-92D. This permit change to remove the Water Canyon refuse pile from the Mining and Reclamation Plan is characterized as a permit amendment. Evidence has been submitted by Sunnyside Coal Company supporting the fact that **no activities** defined under the Utah Coal Regulatory Program as "coal mining and reclamation operations" have occurred on the Water Canyon refuse pile subsequent to SMCRA, i.e. August 3, 1977.

Therefore, the Division approves the deletion of the Water Canyon Refuse Pile from the disturbed area of the Sunnyside Mine permit area in concept, with the condition that Plate 5-20 be resubmitted with two-foot contours of the Water Canyon area and the disturbed area boundary be delineated exactly. Please submit three copies of the revised Plate 5-20 by July 5, 1994.

Sincerely,

A handwritten signature in cursive script that reads "Lowell P. Braxton".
Lowell P. Braxton
Associate Director, Mining

cc: Pamela Grubaugh-Littig
Mary Ann Wright



CF AMR / Water
Canyon

** TRANSMIT CONFIRMATION REPORT **

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Gene Krueger

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Ron Sassaman

