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# State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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Salt Lake City, Utah 84180-1203
801-538-5340

September 21, 1992

Mr. David Pearce
Sunnyside Cogeneration Associates
P.O. Box 58087
Salt Lake City, Utah 84158-0087

Dear Mr. Pearce:

Re: Definitions of Previously Mined Areas vs. Remining, Coarse Refuse Pile at Sunnyside Mine, Sunnyside Cogeneration Associates (SCA), PRO/007/035, Folder #2, Sunnyside Coal Company, (SCC), ACT/007/007, Folder #2, Carbon County, Utah

Pursuant to my letter to you dated September 10, 1992, I stated that the Division consider the use of the coarse refuse for feed for the power plant as **remining**. I stand corrected. By definition, **remining** means conducting coal mining and reclamation operations which affect previously mined areas. The definition of **previously mined area** means land previously mined on which there were no coal mining and reclamation operations subject to the standards of SMCRA, and in this case, the Utah Coal Mining and Reclamation Act.

According to these definitions, the mining of the coarse refuse pile is **not remining**, because the coarse refuse will be mined in a currently approved permit area. This coarse refuse pile has been utilized since the enactment of SMCRA and the Utah Coal Regulatory Program, and is therefore, not considered remining, but **mining.** The definition of **mining** includes extracting coal from the earth or coal waste piles and transporting it within or from the permit area.

I am sorry for any confusion this may have caused you. If you would like to discuss this, please feel free to call me or Lowell Braxton, Associate Director, Mining.

Sincerely,

Pamela Grubaugh-Littig
Permit Supervisor

cc: Lowell Braxton
Joe Fielder, SCC
Brian Burnett, Attorney representing SCA

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