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SUNNYSIDE COGENERATION ASSOCIATES

POST OFFICE BOX 58087
SALT LAKE CITY, UTAH 84158-0087

November 29, 1993

RECEIVED

NOV 30 1993

DIVISION OF
OIL, GAS & MINING

Mr. Randy Harden
Division of Oil, Gas and Mining
3 Triad Center - Suite 350
Salt Lake City, UT 84180-1203

RE: **Project No. EC450593: Sunnyside Cogeneration Associates - Violation No. N93-40-5-9
No. 7 of 9**

ACT/007/035 #5

Dear Randy,

This letter is in regards to Violation No. N93-40-5-9 No. 7 of 9 which was issued for failure to separate and segregate topsoil from an area prior to disturbance. In response to SCA's September 15, 1993 submittal in regards to this violation, DOGM stated that, "Abatement of this violation will require more specific discussion of the area disturbed and must be resubmitted in order to resolve this violation." DOGM also stated that, "...SCC has responded more appropriately..." to the same violation. Therefore, SCA has obtained appropriate information from SCC and has included it with this submittal.

Enclosed is a mitigation plan for the abatement of this violation and updated disturbed area maps, Plates 3-1A and 3-1B. These maps show the disturbed area adjacent to the Coarse Refuse Toe Pond in more detail (Scale 1"=100'). As stated on November 16, 1993, a complete set of revised disturbed area maps, Plates 3-1, 3-1A, 3-1B, 3-1C, 3-1D and 3-1E will be submitted by December 15, 1993.

Also enclosed are the appropriate request for permit change forms. If there are any questions, please feel free to call.

Sincerely,

AEB for

David Pearce
Authorized Member, Management Committee

Alane E. Boyd
Alane E. Boyd, P.E.
Senior Engineer

Enclosure

cc: Brian Burnett, CDN

AEB:jws
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**MITIGATION PLAN FOR THE COARSE REFUSE TOE POND CLEANOUT
MATERIAL**

Violation No. N93-40-5-9 No. 7 of 9 were issued for the failure to separate and segregate topsoil from an area prior to disturbance. The paragraphs below outline a mitigation plan for the abatement of this violation. It should be recognized that the information contained below was obtained from Sunnyside Coal Company. SCC's mitigation plan was approved by DOGM and therefore, SCA proposes to implement the plan for the purposes of abating this violation.

SCC committed to removing the pond cleanout material and disposing it in the Coarse Refuse Pile in accordance with the SCC PAP. First, SCC prepared the disturbed area, approximately 325 square feet, for reclamaion in accordance with the SCC PAP. The disturbed area was then seeded with the Pinyon-Juniper/Grass final seed mix, which is also included in the SCC PAP. The seed mix was approved by DOGM prior to seeding. The revegetation was completed during the week of November 15, 1993.

For temporary erosion control, a silt fence was installed as shown on the enclosed map (Plate 3-1A). The silt fence will remain in place until revegetation is complete and established to the same extent as it was prior to the disturbance.

At this time, the mitigation plan outlined above has been accomplished. SCA commits to monitoring erosion and revegetation success as necessary. In order to remain consistent with this plan, SCA has updated appropriate maps to show the disturbed areas in more detail (Scale 1" = 100'). Plates 3-1A and 3-1B, which outline the area adjacent to the Coarse Refuse Toe Pond, are included with this submittal.

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APPLICATION FOR PERMIT CHANGE

Title of Change: <p style="text-align: center;">SUNNYSIDE COGENERATION ASSOCIATES - Violation No. N93-40-5-9 Nos. 7 of 9</p>	Permit Number: PRO/007/035
	Mine: Sunnyside Cogen. Assoc.
	Permittee: Sunnyside Cogen. Assoc.

Description - include reason for change and timing required to implement:
Violation No. N93-40-5-9 Nos. 7 of 9 - Revised Disturbed Area Maps and Mitigation Plan

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	1. Change in the size of the Permit Area? _____ acres <input type="checkbox"/> increase <input type="checkbox"/> decrease.
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	2. Change in the size of the Disturbed Area? <u>0.007 acres (325 square feet)</u> _____ acres <input checked="" type="checkbox"/> increase <input type="checkbox"/> decrease.
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	3. Will permit change include operations outside the Cumulative Hydrologic Impact Area?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	4. Will permit change include operations in hydrologic basins other than currently approved?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	5. Does permit change result from cancellation, reduction or increase of insurance or reclamation bond?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	6. Does permit change require or include public notice publication?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	7. Permit change as a result of a Violation? Violation #N93-40-5-9 Nos. 7 of 9
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	8. Permit change as a result of a Division Order? D.O. #
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	9. Permit change as a result of other laws or regulations? Explain:
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	10. Does permit change require or include ownership, control, right-of-entry, or compliance information?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	11. Does the permit change affect the surface landowner or change the post mining land use?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	12. Does permit change require or include collection and reporting of any baseline information?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	13. Could the permit change have any effect on wildlife or vegetation outside the current disturbed area?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	14. Does permit change require or include soil removal, storage or placement?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	15. Does permit change require or include vegetation monitoring, removal or revegetation activities?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	16. Does permit change require or include construction, modification, or removal of surface facilities?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	17. Does permit change require or include water monitoring, sediment or drainage control measures?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	18. Does permit change require or include certified designs, maps, or calculations?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	19. Does permit change require or include underground design or mine sequence and timing?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	20. Does permit change require or include subsidence control or monitoring?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	21. Have reclamation costs for bonding been provided or revised for any change in the reclamation plan?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	22. Is permit change within 100 feet of a public road or perennial stream or 500 feet of an occupied dwelling?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	23. Is this permit change coal exploration activity <input type="checkbox"/> inside <input type="checkbox"/> outside of the permit area? N/A

Attached **3** complete copies of proposed permit change as it would be incorporated into the Mining and Reclamation Plan.

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all aspects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

Alone E. Boyd, P.E. 11/30/93
 Signed - Name - Position - Date

Subscribed and sworn to before me this 30th day of November, 1993
Linda Ercanbrack
 Notary Public

LINDA ERCANBRACK
 Notary Public
 STATE OF UTAH
 My Comm. Expires MAR 27, 1997
 1121 E 2400 S C-100 SLC UT 84124

My Commission Expires: March
 Attest: STATE OF Utah
 COUNTY OF Salt Lake

Received by Oil, Gas & Mining

NEW

ASSIGNED PERMIT CHANGE NUMBER

