

0074

ACT/CC-1035 #2
Copy Pam, Henry,
Joe, Jess

SUNNYSIDE COGENERATION ASSOCIATES

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

July 9, 1993

RECEIVED

JUL 12 1993

DIVISION OF
OIL, GAS & MINING

Ms. Pamela Grubaugh-Littig
Division of Oil, Gas and Mining
3 Triad Center - Suite 350
Salt Lake City, UT 84180-1203

Dear Pam,

This letter is in regards to the covering of the coarse refuse lifts. It was discussed at the June 30 meeting at DOGM that the coarse refuse lifts have not been completely covered and that the violation previously issued to Sunnyside Coal Company (SCC) concerning the covering of the lifts had been abated prematurely. According to DOGM personnel, at least 2 feet of adequate material on all remaining areas is required for the task to be complete. Presently, there is approximately 1.5 acres that still have not been covered and the completion of this task will be both timely and costly for the responsible party.

At this time, there is some uncertainty as to whether DOGM plans to reissue a violation to SCA when the operating agreement is signed for the lifts not being completely covered. SCA feels that the signing of the operating agreement, would in effect, give DOGM authorization to issue a violation to SCA for the lifts not being covered since the signing of the operating agreement would place SCA as the responsible party. SCA would like to avoid this scenario due to the fact that the original responsibility was SCC.

Sunnyside Cogeneration Associates (SCA) feels that this issue needs to be addressed by all three parties; SCA, DOGM and SCC, to determine a reasonable solution. SCA is requesting that DOGM review this letter and provide SCA with a clear idea as how DOGM plans to handle this issue.

If there are any questions, please feel free to call. We look forward to hearing from you.

Sincerely,

AEB for

David R. Pearce
Authorized Member, Management Committee

Alane E. Boyd

Alane E. Boyd, P.E.
Senior Engineer

Enclosure

cc: Brian Burnett, CDN

AEB:jws
c:\jess\is\correc\lifts.pam