

SUNNYSIDE COGENERATION ASSOCIATES

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

October 4, 1993

Randy Harden
Department of Natural Resources
Division of Oil, Gas and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

Dear Randy:

The September 15, 1993 submittal included updated hydrologic data for only the Pasture Pond and the Old Coarse Refuse Road Pond. Due to time constraints, the other ponds had not been reanalyzed and updated at that time.

Enclosed with this submittal is the hydrologic data for the Coarse Refuse Toe Pond. This includes an updated portion of Appendix 7-3, updated plates 7-1, 7-6, 7-7, and 7-13, and a new plate 7-1C.

We are continuing to progress on the other pond drainage areas that were not updated in the September 15, 1993 submittal. They will be submitted as soon as possible.

Sincerely,

 FOR
David R Pearce

Authorized Member, Management Committee



Scott Carlson
Engineer
Eckhoff, Watson and Preator Engineering

RECEIVED

OCT 05 1993

DIVISION OF
OIL, GAS & MINING

cc: Brian Burnett/Callister, Duncan and Nebeker

PERMIT CHANGE TRACKING FORM

DATE RECEIVED	10/5/93	PERMIT NUMBER	ACT/007/035
Title of Proposal: Hydrologic Calculations - Appendix 7-3		PERMIT CHANGE #	93H
Description: <i>Coarse Refuse Toe Pond</i>		PERMITTEE	Sunnyside Cogeneration
		MINE NAME	Sunnyside Refuse/Slurry

<input checked="" type="checkbox"/> 15 DAY INITIAL RESPONSE TO PERMIT CHANGE APPLICATION	DATE DUE	DATE DONE	RESULT
	10/20/93	11/15/93	<input checked="" type="checkbox"/> ACCEPTED <input checked="" type="checkbox"/> REJECTED
<input checked="" type="checkbox"/> Notice of Review Status of proposed permit change sent to the Permittee.			
<input type="checkbox"/> Request additional review copies prior to Division/Other Agency review.			
<input type="checkbox"/> Notice of Approval of Publication. (If change is a Significant Revision.)			
<input type="checkbox"/> Notice of request to modify proposed permit change prior to approval.			
Permit Change Classification			
<input type="checkbox"/> Significant Permit Revision			
<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						
<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	PROPOSED CHANGES WERE WITHDRAWN. SCA RESUBMITTED CHANGES ON OCT. 25, 1993.					
<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	SEE AMENDMENT					93I
<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 checked="" type="checkbox"/> Permit Change Denied.	11/15/93
<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.	

PERMIT AMENDMENT APPROVAL

Title: HYDROLOGIC CALCULATIONS - APPENDIX 7-3	PERMIT NUMBER: ACT/007/035
Description:	PERMIT CHANGE #: 93H
	MINE: Sunnyside Refuse/Slurry
	PERMITTEE: Sunnyside Cogen

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.	
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: 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 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.	
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.	
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.	
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.).	
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.	
7. The Applicant has demonstrated that reclamation as required by the State Program can be accomplished according to information given in the permit application.	
8. The Applicant has demonstrated that any existing structure will comply with the applicable performance standards of R645-301 and R645-302.	
9. The Applicant has paid all reclamation fees from previous and existing coal mining and reclamation operations as required by 30 CFR Part 870.	
10. The Applicant has satisfied the applicable requirements of R645-302.	
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.	

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.		
2. Are there any special conditions associated with this permit amendment approval? If yes, attach.		
3. Are there any stipulations associated with this permit amendment approval? If yes, attach.		

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 _____
 Director, Division of Oil, Gas and Mining

_____ EFFECTIVE DATE

APPLICATION FOR PERMIT CHANGE

Title of Change:

Sunnyside Cogeneration Associates
Hydrologic Calculations - Appendix 7-3

Permit Number: PRO / 007 / 035

Mine: Sunnyside Cogen.Assoc.

Permittee: Sunnyside Cogen.Assoc.

Description, include reason for change and timing required to implement:

Update hydrologic calculations for the Coarse Refuse Toe Sediment Pond
Submit updated portion of Appendix 7-3, updated Plates 7-1, 7-6, 7-7, 7-13
Submit new plate 7-1C

- | | | |
|---|--|--|
| <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 type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 2. Change in the size of the Disturbed Area? _____ acres <input 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 type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 7. Permit change as a result of a Violation? Violation # |
| <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 type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 13. Could the permit change have any effect on wildlife or vegetation outside the current disturbed area? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 14. Does permit change require or include soil removal, storage or placement? |
| <input type="checkbox"/> Yes | <input checked="" 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 checked="" type="checkbox"/> Yes | <input 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? |

Attach 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 respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

Alame E Boyd PE
Signed - Name - Position - Date 4 OCT 93

Subscribed and sworn to before me this 9th day of October, 1993
Notary Public: Linda Ercanbrack
My Commission Expires: March 27, 1997
Attest: STATE OF UTAH COUNTY OF Salt Lake



LINDA ERCANBRACK
Notary Public
STATE OF UTAH
My Comm. Expires MAR 27, 1997
1121 E 3900 S C-100 SLC UT 84124

Received by Oil, Gas & Mining

OCT. 5, 1993

ASSIGNED PERMIT CHANGE NUMBER

93 H



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)

November 15, 1993

Mr. Fred Finlinson, Resident Agent
Sunnyside Cogeneration Associates
Callister, Duncan and Nebeker
Kennecott Building, Suite 800
10 East South Temple
Salt Lake City, Utah 84133

Re: Proposed Amendment, Coarse Refuse Toe Pond, Sunnyside Cogeneration Associates,
Refuse and Slurry, ACT/007/035-93H, Folder #3, Carbon County, Utah

Dear Mr. Finlinson:

A proposal for revised hydrology information for the Coarse Refuse Toe Pond was submitted to the Division and received on October 5, 1993. Subsequent to that proposal, a revised version was submitted and received on October 25, 1993.

As per SCA's request, the information submitted on October 5, 1993 is hereby withdrawn and the proposed changes of Amendment 93H are denied. Information submitted on October 25, 1993 will be reviewed as a new permit change request and will be referred to by the Division as permit change #93I.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Randall Harden', with a long horizontal flourish extending to the right.

J. Randall Harden
Sr. Reclamation Engineer

cc: P. G-Littig
SCA.93H

