

SUNNYSIDE COGENERATION ASSOCIATES

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

November 16, 1993

RECEIVED

NOV 16 1993

DIVISION OF
OIL, GAS & MINING

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:

Enclosed with this submittal is the hydrologic data for the Borrow Area Sediment Pond, Slurry Ponds 1 & 2, and the Clear Water Pond. This includes an updated portion of Appendix 7-3, updated plates 7-1, 7-4, 7-5, 7-6, 7-11, 7-11B and 7-15. Also included are updated tables of contents and plate lists.

Concerning Permit condition 15: additional pages are submitted as revised portions of Appendix 7-3. These pages deal with riprap gradation and filter fabric lining in the diversions for Pasture Pond, Old Coarse Refuse Road Pond, Coarse Refuse Toe Pond, and Railcut Pond.

Certification letters are also enclosed. These certify the calculations for Pasture Pond, Old Coarse Refuse Road Pond, Coarse Refuse Toe Pond, Railcut Pond, Borrow Area Pond, and Slurry Ponds 1 & 2 and Clear Water Pond.

Concerning Permit Condition 19: R645-301-731.730. All water monitoring points are marked in the field with metal posts and identifying tags. They are also clearly shown on the pond drawings corresponding to the monitoring point (see plates 7-4, 7-7, 7-8, 7-9, 7-10, 7-13, 7-14, 7-15).

Randy Harden
Page 2

Concerning Violation N93-40-5-9 number 8 of 9: Failure to conduct coal mining and reclamation only on lands specifically designated in the permit. We are resubmitting plates 7-1A and 7-6 as updated to clearly indicate that the designed diversions lie within the existing permit area. Existing drainage conditions outside the permit area are shown with thin lines. SCA will not be maintaining diversions outside of the permit area.

Sincerely,

 FOR

David R Pearce

Authorized Member, Management Committee



Scott Carlson

Engineer

Eckhoff, Watson and Preator Engineering

cc: Brian Burnett/Callister, Duncan and Nebeker

PERMIT AMENDMENT APPROVAL

Title: HYDROLOGIC CALCULATIONS	PERMIT NUMBER: ACT/007/038
Description: APPENDIX 7-3	PERMIT CHANGE #: 93K
	MINE: REFUEL SURFACE
	PERMITTEE: SCA

WRITTEN FINDINGS FOR PERMIT APPLICATION APPROVAL

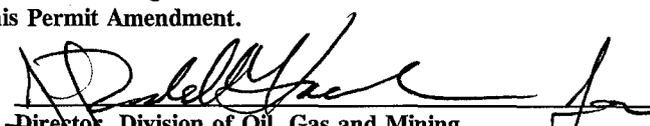
	YES, NO or N/A
1. The application is complete and accurate and the applicant has complied with all the requirements of the State Program.	NA
2. The proposed permit area is not within an area under study or administrative proceedings under a petition, filed pursuant to R645-103-400 or 30 CFR 769, to have 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.	X	
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

1-13-93

 EFFECTIVE DATE



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)

PERMIT CHANGE
SPECIAL CONDITIONS TO THE PERMIT
ACT/007/035-93K
January 13, 1994

The Division hereby approves Permit Change ACT/007/035-93K for incorporation into the plan, subject to the following Special Conditions:

1. The text, drawings, plans and other information included in this proposed permit change have been found sufficiently complete for incorporation of the information into the plan. The Division has accepted this information as an Amendment to the currently approved Plan subject to the provisions of violation N93-13-2-1. Any changes ordered by the Division following the Division's technical review for abatement of violation N93-13-2-1 may require changes to the information provided in this Permit Change.



PERMIT CHANGE TRACKING FORM

DATE RECEIVED	11-16-93	PERMIT NUMBER	ACT/007/035
Title of Proposal:	HYDROLOGIC CALCULATIONS	PERMIT CHANGE #	93K
Description:	APPEN. 7-3	PERMITTEE	REFURIE & SURRY
		MINE NAME	SCA

	DATE DUE	DATE DONE	RESULT
<input type="checkbox"/> 15 DAY INITIAL RESPONSE TO PERMIT CHANGE APPLICATION			<input type="checkbox"/> ACCEPTED <input type="checkbox"/> REJECTED
<input type="checkbox"/> Notice of Review Status of proposed permit change sent to the Permittee.			Permit Change Classification
<input type="checkbox"/> Request additional review copies prior to Division/Other Agency review.			<input type="checkbox"/> Significant Permit Revision
<input type="checkbox"/> Notice of Approval of Publication. (If change is a Significant Revision.)			<input type="checkbox"/> Permit Amendment
<input type="checkbox"/> Notice of request to modify proposed permit change prior to approval.			<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 checked="" type="checkbox"/> Administrative JRH		1-13-94				
<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						
<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						
<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 checked="" type="checkbox"/> Permit Change Approval Form signed and approved effective as of this date. <input type="checkbox"/> Permit Change Denied.	1-13-94
<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 checked="" type="checkbox"/> Permit Change Approval Form ready for approval.	<input type="checkbox"/> Copies to Other Agencies and Price Field Office.	1-13-94

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:

Hydrologic Calculations for Borrow Area Pond, Clear Water Pond, & Slurry Ponds 1 & 2

- | | | |
|---|--|---|
| <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? |
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| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 16. Does permit change require or include construction, modification, or removal of surface facilities? |
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| <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 |

NOV 16 1993
DIVISION OF
OIL, GAS & MINING

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.

Alane E. Boyd, P.E. 11/16/93
Signed - Name - Position - Date

Subscribed and sworn to before me this 16th day of November, 1993

Notary Public

My Commission Expires:
Attest: STATE OF
COUNTY OF

3/8/97
[Signature]



NOTARY PUBLIC
MARILLYN YOUNG
1121 E. 3900 So. #C-100
Salt Lake City, Utah 84124
My Commission Expires
March 8, 1997
STATE OF UTAH

Received by Oil, Gas & Mining

Nov. 16, 1993

ASSIGNED PERMIT CHANGE NUMBER

93K

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:

Hydrologic Calculations for Borrow Area Pond, Clear Water Pond, & Slurry Ponds 1 & 2

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Signed - Name - Position - Date

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Received by Oil, Gas & Mining

ASSIGNED PERMIT CHANGE NUMBER

Application for Permit Change Detailed Schedule of Changes to the Permit

Title of Change: <p style="text-align: center;">SUNNYSIDE COGENERATION ASSOCIATES</p> <p style="text-align: center;">Hydrologic Calculations - Appendix 7-3.</p>	Permit Number: PRO/007/035 Mine: Sunnyside Cogen. Assoc. Permittee: Sunnyside Cogen. Assoc.
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Provide a detailed listing of all changes to the mining and reclamation plan which will be required as a result of this proposed permit change. Individually list all maps and drawings which are to be added, replaced, or removed from the plan. Include changes of the table of contents, section of the plan, pages or other information as needed to specifically locate, identify and revise the exiting mining and reclamation plan. Include page, section and drawing numbers as part of the description.

			DESCRIPTION OF MAP, TEXT, OR MATERIALS TO BE CHANGED
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Plate 7-1
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Plate 7-1A
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Plate 7-4
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Plate 7-5
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Plate 7-6
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Plate 7-11
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Plate 7-11B
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Plate 7-15
<input checked="" type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Plate 7-17
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Hydrologic Calculations for Borrow Area Pond - Appendix 7-3
<input type="checkbox"/> ADD	<input checked="" type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	Hydrologic Calculations for Clear Water Pond & Slurry Ponds 1&2 - Appendix 7-3
<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	
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<input type="checkbox"/> ADD	<input type="checkbox"/> REPLACE	<input type="checkbox"/> REMOVE	

Any other specific or special instructions required for insertion of this proposal into the Mining and Reclamation Plan?

See included letter.