



jk

MODIFICATION OF NOTICE OF VIOLATION/CESSATION ORDER

To the following Permittee or Operator:

Name SUNNYSIDE COGENERATION ASSOCIATES
Mailing Address P.O. BOX 58087, SALT LAKE CITY UT 84158-0087
State Permit No. ACT/007/035

Utah Coal Mining & Reclamation Act, Section 40-10-1 et seq., Utah Code Annotated (1953):

Notice of Violation No. N 93-40-5-9 dated AUGUST 17, 19 93.

Cessation Order No. C _____ dated _____, 19 _____.

Part 7 of 9 is modified as follows: SCA MUST RE-SUBMIT PLANS WHICH SHOW THE LOCATION OF THE DISTURBED AREA SUBJECT TO THIS VIOLATION, AND,

Reason for modification is THE TEXT OF THE PLAN MUST CLEARLY INDICATE TOPSOIL HANDLING REQUIREMENTS SPECIFIC TO THE AREA DISTURBED.

Part _____ of _____ is modified as follows: PLANS MUST BE SUBMITTED TO THE DIVISION ON OR BEFORE 5:00pm, November 30, 1993.

Reason for modification is ADMIN. DELAY PENDING REVIEW OF INFORMATION SUBMITTED ON SEPT 15, 1993.

Part _____ of _____ is modified as follows: _____

Date of service (mailing) 11/19/93 Time of service (mailing) 3:30 a.m. p.m.

Date of inspection Nov. 15, 1993

FRED FULLINSON
Permittee/Operator representative

RESIDENT AGENT FOR SCA
Title

Signature

J. RANDALL HARDEN
Division of Oil, Gas & Mining

SI. RECL. ENGR.
Title

J. Pelell
Signature

cc B. Malowick

SUNNYSIDE COGENERATION ASSOCIATES

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

November 16, 1993

Mr. Randy Harden
Senior Reclamation Engineer
Division of Oil, Gas and Mining
3 Triad Center, Suite 350
Salt lake City, Utah 84180-1203

RECEIVED

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DIVISION OF
OIL, GAS & MINING

RE: Sunnyside Cogeneration Associates (SCA) Permit No. ACT/007/035
Violation No. N93-40-5-9, Violation No 7 of 9

Dear Randy,

This letter is in response to Violation N93-40-5-9 number 7 of 9, "Failure to separate and segregate topsoil from an area prior to disturbance." SCA submitted a revised Plate 3-1, Pre and Post Law Disturbed Area Map, with the September 15, 1993 submittal. However, DOGM has informed SCA that the submittal did not constitute an "effective response." The revised Plate 3-1 provided the general location of the disturbed area, but did not address topsoil handling and segregation of the topsoil prior to disturbance.

SCA is currently preparing more detailed disturbed area maps of the permit site. These are being accomplished in coordination with a detailed field survey of the disturbed area. The complete set of disturbed area maps should be completed by December 15, 1993.

SCA will, however, prepare a submittal in direct response to this violation which will include a detailed site plan (Scale 1"=100') of the disturbed area. Also, a discussion of how the topsoil will be handled will be prepared. This plan will be consistent with the Sunnyside Coal Company Plan.

At this time SCA requests an extension for this violation to November 30, 1993. This will allow SCA time to field survey the disturbed area around the Coarse Refuse Toe Pond, prepare accurate plans depicting the disturbed area, and field check the plans.

If you have any questions, please feel free to give Alane Boyd a call.

Sincerely,

DEB for
David Pearce
Authorized Member, Management Committee

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

cc: Brian Burnett, CDN