

0017



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

FILE

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)

October 14, 1993

CERTIFIED RETURN RECEIPT REQUESTED  
P 074 975 435

Mr. David Pearce  
Sunnyside Cogeneration Associates  
P.O. Box 58087  
Salt Lake City, Utah 84158-0087

Re: Violation N93-32-5-2, Sunnyside Cogeneration Associates, Sunnyside  
Refuse and Slurry, ACT/007/035, Folder #5, Carbon County, Utah

Dear Mr. Pearce:

Enclosed please find the notice of violation (#N93-32-5-2) that was issued to Sunnyside Coal Company and Sunnyside Cogeneration Associates on September 22, 1993.

Sincerely,

A handwritten signature in cursive script that reads "Pamela Grubaugh-Littig".

Pamela Grubaugh-Littig  
Permit Supervisor

pgl  
Enclosure  
cc/enc: Fred Finlinson, Resident Agent for SCA  
Joe Helfrich  
007035nov





UTAH  
NATURAL RESOURCES  
Oil, Gas & Mining

3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340

### MODIFICATION OF NOTICE OF VIOLATION/CESSATION ORDER

JCH initialed

To the following Permittee or Operator:

Name Sunnyside Cogeneration Associate  
Mailing Address P.O. BOX 58087, Salt Lake City, Utah 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 93-32-5-2 dated September 22, 19 93.

Cessation Order No. C \_\_\_\_\_ dated \_\_\_\_\_, 19 \_\_\_\_\_.

Part 2 of 2 is modified as follows: abatement is extended to  
October 21, 1993.

Reason for modification is \_\_\_\_\_

Part \_\_\_\_\_ of \_\_\_\_\_ is modified as follows: \_\_\_\_\_

Reason for modification is \_\_\_\_\_

Part \_\_\_\_\_ of \_\_\_\_\_ is modified as follows: \_\_\_\_\_

Date of service/mailing 10/15/93

Time of service/mailing 4:00  a.m.  p.m.

Date of inspection \_\_\_\_\_

P 074 975 435  
CERTIFIED MAIL/RETURN RECEIPT REQ'D

Permittee/Operator representative \_\_\_\_\_

Title \_\_\_\_\_

Signature \_\_\_\_\_

Permit Supervisor  
Title \_\_\_\_\_

PAMELA GAMBORGH-LITTLE  
Division of Oil, Gas & Mining

Pamela Gamborgh-Little  
Signature

cc: RANDY HARDEN

NO. N 93-32-5-2

notice of violation

To the following Permittee or Operator:

Name SUNNYSIDE COAL COMPANY  
 Mine SUNNYSIDE  Surface  Underground  Other  
 County CARBON State UT. Telephone (801)888-4421  
 Mailing Address P.O. BOX 99 HIGHWAY 123, SUNNYSIDE, UT 84539  
 State Permit No. ACT/007/007  
 Ownership Category  State  Federal  Fee  Mixed  
 Date of inspection 9/15-17/93, 19\_\_\_\_  
 Time of inspection \_\_\_\_\_  a.m.  p.m. to \_\_\_\_\_  a.m.  p.m.  
 Operator Name (other than Permittee) SUNNYSIDE COAL COMPANY  
 Mailing Address \_\_\_\_\_

Under authority of the Utah Coal Mining and Reclamation Act, Section 40-10-1 et seq., *Utah Code Annotated*, 1953, the undersigned authorized representative of the Division of Oil, Gas & Mining has conducted an inspection of above mine on above date and has found violation(s) of the act, regulations or required permit condition(s) listed in attachment(s). This notice constitutes a separate Notice of Violation for each violation listed.

You must abate each of these violations within the designated abatement time. You are responsible for doing all work in a safe and workmanlike manner.

The undersigned representative finds that **cessation of mining is**  **is not**  expressly or in practical effect required by this notice. For this purpose, "mining" means extracting coal from the earth or a waste pile, and transporting it within or from the mine site.

This notice shall remain in effect until it expires as provided on reverse side of this form, or is modified, terminated or vacated by written notice of an authorized representative of the director of the Division of Oil, Gas & Mining. Time for abatement may be extended by authorized representative for good cause, if a request is made within a reasonable time before the end of abatement period.

**CERTIFIED RETURN RECEIPT**  
**P 074 978 369**

Date of service/ mailing 9/22/93

Time of service/ mailing 3:00  a.m.  p.m.

PETER HESS  
 Permittee/Operator representative

ENVIRONMENTAL COORDINATOR  
 Title

Signature

HENRY SAUER  
 Division of Oil, Gas & Mining representative

Senior Reclamation File Specialist  
 Title

Henry Sauer  
 Signature

#32  
 Identification Number

SEE REVERSE SIDE

WHITE-DOG M YELLOW-OPERATOR PINK-OS M GOLDENROD-NOV FILE



NOTICE OF VIOLATION NO. N 93-32-5-2

Violation No. 1 of 2

Nature of violation

Failure to place in a controlled manner and/or treat acid-forming material. Failure to place coal mine waste in an approved disposal facility

Provisions of act, regulations or permit violated

R845-301-528.320

R845-301-731.300

Portion of operation to which notice applies

The Old Corner Refuse Pit, Haul Road.

Remedial action required (including any interim steps)

Remove all acid-forming material from the Old Corner Refuse Haul Road and place material in an approved disposal facility

Abatement time (including interim steps)

No later than 5:00 P.M. October 21, 1993



NOTICE OF VIOLATION NO. N 93-38-5-2

Violation No. 2 of 2

Nature of violation

Failure to maintain transmission structure.

Provisions of act, regulations or permit violated

RG45-301-742, 312

Portion of operation to which notice applies

The 100 yr, 6 hr dimension system for the Coarse Refuse Pile.

Remedial action required (including any interim steps)

Maintain good condition ~~(at least)~~ 100 yr., 6 hr. dimension structure for the Coarse Refuse Pile.

Abatement time (including interim steps)

Not later than 5:00 P.M. October 7, 1993