

0019



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

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3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

September 30, 1993

CERTIFIED RETURN RECEIPT REQUESTED
NO. P 879 596 496

Robert H. Hagen, Director
Office of Surface Mining
Reclamation and Enforcement, AFO
Suite 1200, 505 Marquette, N.W.
Albuquerque, New Mexico 87102

Re: Response to Ten-Day Notice (TDN) X93-020-370-003 TV1, Sunnyside
Cogeneration Associates (SCA), ACT/007/035, Folder #5, Carbon County,
Utah

Response to TDN X93-020-370-004 TV1, Sunnyside Mine, Sunnyside Coal
Company (SCC), ACT/007/007, Folder #5, Carbon County, Utah

Dear Mr. Hagen:

This letter responds to the two referenced TDNs, certified copies of which were received by the Division on September 20, 1993.

Number 1 of 1 Reads:

"Failure to bury and/or treat acid-toxic forming material. Improper placement of coal mine waste." Location: The old coarse refuse pile road. Regulations cited: R645-301-528.320 and R645-301-731.300.

Division Response:

Violation #N93-32-5-2 #1 of 2 was jointly issued to SCC and SCA on September 22, 1993 for "Failure to place, in a controlled manner, and/or treat

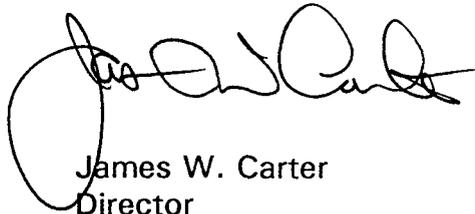


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Robert Hagen

acid-forming material. Failure to place coal mine waste in an approved disposal facility." Location: The old coarse refuse pile haul road. Regulations cited: R645-301-528.320 and R645-301-731.300. The remedial action required is to "remove all acid-forming material from the old coarse refuse haul road and place material in an approved disposal facility."

In light of DOGM's issuance of these violations, we request that OSM find DOGM's response appropriate.

Very truly yours,

A handwritten signature in black ink, appearing to read "James W. Carter". The signature is written in a cursive style with a large initial "J" and "C".

James W. Carter
Director

cc: L. Braxton
P. Grubaugh-Littig
R. Harden
J. Helfrich

DOG M AJE TDN ACT/007/035 ACT

P 879 596 496
RECEIPT FOR CERTIFIED MAIL
 NO INSURANCE COVERAGE PROVIDED
 NOT FOR INTERNATIONAL MAIL
 (See Reverse)

ROBERT H HAGEN DIRECTOR OFFICE OF SURFACE MINING RECLAMATION & ENFORCEMENT AFO	505 MARQUETTE NW ALBUQUERQUE NM 87102	29	62	100	220
SUI FEE Code		Certified Fee	Special Delivery Fee	Restricted Delivery Fee	Return Receipt showing to whom and Date Delivered
		Return Receipt showing Date, and Address of Delivery		Fees	

1985

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)

When this receipt postmarked, stick the gummed stub to the right of the return address and present the article at a post office service window or hand it to your rural carrier.

When this receipt postmarked, stick the gummed stub to the right of the return address of the article and retain the receipt, and mail the article.

When this receipt postmarked, write the certified mail number and your name and address on a return receipt, and attach it to the front of the article by means of the gummed ends if space permits, and to the back of article. Endorse front of article **RETURN RECEIPT REQUESTED**.

When this receipt postmarked, if article is restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.

When this receipt postmarked, if services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.

When this receipt postmarked, and present it if you make inquiry.

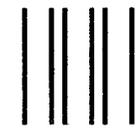
U.S.G.P.O. 1987-197-722

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
 Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional services requested.

1. Show to whom delivered, date, and addressee's address. 2. Restricted Delivery (Extra charge)

3. Article Addressed to: ROBERT H HAGEN DIRECTOR OFFICE OF SURFACE MINING RECLAMATION & ENFORCEMENT AFO SUITE 1200 505 MARQUETTE NW ALBUQUERQUE NM 87102	4. Article Number P 879 596 496
5. Signature - Address X <i>Lars Meeksen</i>	Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise
6. Signature - Agent X	Always obtain signature of addressee or agent and DATE DELIVERED.
7. Date of Delivery 10-4-93	8. Addressee's Address (ONLY if requested and fee paid)

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- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



PENALTY FOR PRIVATE USE, \$300

RETURN TO →

Print Sender's name, address, and ZIP Code in the space below.

STATE OF UTAH
 NATURAL RESOURCES
 OIL, GAS, & MINING
 ENERGY CENTER, SUITE 350
 SALT LAKE CITY, UTAH 84100-1203