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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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Salt Lake City, Utah 84180-1203
801-538-5340
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August 6, 1993

CERTIFIED RETURN RECEIPT
P 074 978 619

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

Dear Mr. Pearce:

Re: Division Order #93B, Sunnyside Cogeneration Associates, Sunnyside Refuse and Slurry, ACT/007/035-DO-93B, Folder #3, Carbon County, Utah

Enclosed please find a Division Order and Finding of Permit Deficiency for the Sunnyside Refuse and Slurry Mine. If in your review of this Order you have any questions, please call me or Pamela Grubaugh-Littig, Permit Supervisor.

Sincerely,

A handwritten signature in cursive script that reads "Lowell P. Braxton".

Lowell P. Braxton
Associate Director, Mining

mbm

Enclosure

cc: P. Grubaugh-Littig
J. Helfrich
T. Munson

SSCADO.93B



MGM DOGM ACT/007/035-DO93B FLDR #3

P 074 978 619

RECEIPT FOR CERTIFIED MAIL
NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL
(See Reverse)

| | | | | | | | | |
|--|---|--------------------|-----------------------|----------------------|-------------------------|---|--|------------------------------------|
| SEDAVID PEARCE SUNNYSIDE COGENERATION Street and Box No P O BOX 58087 | P.O., State and ZIP Code SALT LAKE CITY UT 84158 | Postage \$ 2.29 | Certified Fee 1.00 | Special Delivery Fee | Restricted Delivery Fee | Return Receipt showing to whom and Date Delivered 1.00 | Return Receipt showing to whom Date, and Address of Delivery | TOTAL Postage and Postmark or Date |
|--|---|--------------------|-----------------------|----------------------|-------------------------|---|--|------------------------------------|

PS Form 3800, June 1985

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

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article RETURN RECEIPT REQUESTED adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse RESTRICTED DELIVERY on the front of the article.
5. Enter fees for the 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.
6. Save this receipt and present it if you make inquiry.

U.S.G.P.O. 1988-217-132

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 boxes for additional service(s) requested.

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

3. Article Addressed to:
DAVID PEARCE
SUNNYSIDE COGENERATION ASSOCIATES
P O BOX 58087
SALT LAKE CITY UT 84158-0087

4. Article Number
P 074 978 619

Type of Service:
 Registered Insured
 Certified COD
 Express Mail Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature -- Address
X

6. Signature -- Agent
X *Marshall McQuinn*

7. Date of Delivery
8/5/93

8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, Mar. 1988 U.S.G.P.O. 1988-212-885 DOMESTIC RETURN RECEIPT

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address and ZIP Code in the space below.
 • 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.

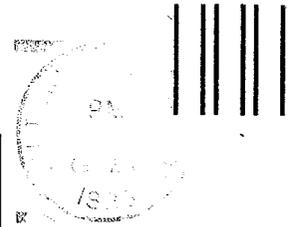
RETURN TO 

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

STATE OF UTAH
NATURAL RESOURCES
OIL, GAS, & MINING
3 TRIAD CENTER, SUITE 380
SALT LAKE CITY, UTAH 84180-1203



PENALTY FOR PRIVATE USE, \$300



STATE OF UTAH
DIVISION OF OIL, GAS AND MINING

PERMITTEE

Sunnyside Cogeneration Associates
Sunnyside Refuse and Slurry
P.O. Box 58087
SLC, Utah 84158-0087

ORDER & FINDINGS
of
PERMIT DEFICIENCY

PERMIT NUMBER ACT/007/035
DIVISION ORDER # 93B

PURSUANT to R645-301-742.300, R645-301-742.400, R645-301-742.423, R645-301-745.222, R645-301-746.212, and R645-301-760 the DIVISION ORDERS the PERMITTEE, Sunnyside Cogeneration Associates to make the permit changes enumerated in the findings of permit deficiency in order to be in compliance with the State Coal Program. These findings of permit deficiency are to be remedied in accordance with R645-303-220.

FINDINGS OF PERMIT DEFICIENCY

The Division finds the permit deficient in that the Mining and Reclamation plan does not contain the necessary technical information to address the requirements of the rules. Plate 7-16 is not considered adequate to demonstrate the designs of diversions, culverts, and berms.

In order to comply with these rules, the application must contain the designs for each diversion and its appurtenant structures. These designs will contain all the necessary design information to adequately demonstrate the stability of these diversions, culverts, and berms. All diversions and culverts unless associated with an intermittent, perennial stream, or refuse piles will be designed under the authority of R645-301-742.314 to pass the 10-year, 6-hour precipitation event, as determined by the Division. All diversions, culverts, and berms associated with runoff from intermittent, perennial streams, or areas above the refuse pile and runoff from the surface of the refuse pile will be diverted into stabilized diversion channels designed to meet the requirements of R645-301-742.300 to safely pass the runoff from a 100-year, 6-hour precipitation event.

Regulations Cited

R645-301-742.300, R645-301-742.400, R645-301-742.423, R645-301-745.222, R645-301-746.212, and R645-301-760

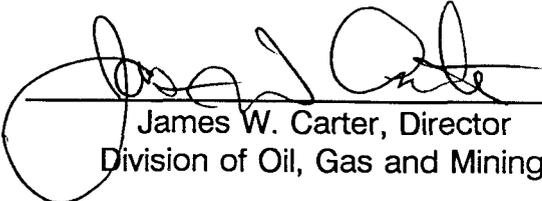
Requirements

This Division Order requires that Sunnyside Cogeneration Associates provide design criteria for all diversions, culverts, and berms according to the requirements of the regulations and that those designs be contained in the permit application in tabular form with all the necessary technical information to complete a review of such structures. The designs must be numerically identified in this table to correspond to any diversions, culverts, and berms found on the ground and Plate 7-16. If any diversions, culverts, or berms are not identified in the permit application with the necessary designs then they must be included. These designs will include all the necessary design criteria for all reclaimed diversions, channels, and drainage. This information must be detailed on Plates and in the text of the Reclamation section of the permit.

ORDER

Sunnyside Cogeneration is ordered to make the requisite permit changes in accordance with R645-303-220 and to submit a complete application for permit change to address the findings of permit deficiency within 30 days of date of the Order. Approval by the Division must be obtained within 60 days of date of this Order. All approvals not obtained within 60 days may result in a hindrance violation.

Ordered this fifth day of August, 1993, by the Division of Oil, Gas, and Mining.


James W. Carter, Director
Division of Oil, Gas and Mining