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DIVISION OF  
OIL, GAS & MINING

February 2, 1994

Mr. Randy Harden  
Division of Oil, Gas and Mining  
3 Triad Center - Suite 350  
Salt Lake City, UT 84180-1203

RE: Project No. EC450593: Sunnyside Cogeneration Associates - Violation No. N93-40-6-4  
No. 4 of 4

Dear Randy,

This letter is in regards to Violation N93-40-6-4 No. 4 of 4 which was issued for "...transporting and stockpiling coal and/or coal refuse to the coarse refuse pile (from an unpermitted site) in a manner that is not approved."

Sunnyside Cogeneration Associates (SCA) submitted a letter to the Division of Oil, Gas and Mining (DOGM) on December 30, 1993 outlining proposed changes to the Permit Application Package (PAP) in regards to Violation No. N93-40-6-4 No. 4 of 4. Included in that letter was a time line for completion of the proposed tasks. According to the schedule, SCA was to begin construction of the diversions and installation of the culvert on January 21, 1994. This date was based on the idea that DOGM would have completed their review of the proposed changes by January 14, 1994.

At this time, SCA cannot meet the proposed deadlines due to the fact that the Division did not approve and/or comment on the proposed changes until January 25, 1994. SCA had every intention of complying with the proposed time frame, but their efforts have been delayed due to the delayed response from DOGM.

Additionally, SCA believes that weather conditions (frozen ground) do not allow for construction of these facilities at this time. Recently, we dug test pits and confirmed this fact, therefore, SCA proposes to construct the diversions as soon as the ground is thawed to a point that is conducive to construction.

In light of the existing conditions, SCA has proposed a new schedule for completing the proposed tasks. Included below is the schedule that was submitted on December 30, 1993 followed by a revised schedule which includes a new time frame for completing the tasks.

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**DECEMBER 30, 1993 SCHEDULE**

SCHEDULE	COMPLETION ITEM
December 30, 1993	Submit design plans to DOGM
January 14, 1994	Obtain design approval from DOGM
January 21, 1994	Begin construction of diversions and installation of culvert
February 28, 1994	Complete construction
March 31, 1994	Complete As-built survey of the area
April 29, 1994	Submit Record Drawing of the area and incorporate into PAP

**FEBRUARY 2, 1994 REVISED SCHEDULE**

SCHEDULE	COMPLETION ITEM
December 30, 1993	Submit design plans to DOGM (COMPLETED)
January 25, 1994	Obtain design approval from DOGM (COMPLETED)
April 1, 1994	Begin construction of diversions and installation of culvert
May 1, 1994	Complete construction
May 15, 1994	Complete As-built survey of the area
June 15, 1994	Submit Record Drawing of the area and incorporate into PAP

Please review the revised schedule and previously submitted plans and submit comments to SCA. If there are any questions, please feel free to call.

Sincerely,

*AEB for*  
David Pearce  
Authorized Member, Management Committee

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

cc: Brian Burnett; Callister, Duncan & Nebeker  
Joe Helfrich, DOGM

AEB:jws  
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