



*gfd*

### 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 93-32-5-2 # 1 dated 9/21, 19 93.

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

Part \_\_\_\_\_ of \_\_\_\_\_ is modified as follows: THE ABATEMENT DATE IS EXTENDED TO

5:00 PM MAY 3, 1994 FOR THE RECEIPT OF COMPLETE AND ADEQUATE

Reason for modification is RECLAMATION PLANS FOR THE OLD COARSE REFUSE ROAD.

PLANS MUST BE COMPLETE AND ADEQUATE TO ALLOW FOR CONSTRUCTION TO

Part \_\_\_\_\_ of \_\_\_\_\_ is modified as follows: BEGIN BY NO LATER THAN 5:00 PM JUNE 15, 1994

Reason for modification is TO ENSURE RECLAMATION OF THE OLD COARSE REFUSE

ROAD AS ENUMERATED IN THE 12/9/93 SCHEDULE AND EXTENSION REQUEST

Part \_\_\_\_\_ of \_\_\_\_\_ is modified as follows: DATED 4/13/94. (ATT)

Date of service/ mailing April 22, 1994 Time of service/ mailing 3:00  a.m.  p.m.

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

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

Title \_\_\_\_\_

Signature \_\_\_\_\_

HENRY SAUER  
Division of Oil, Gas & Mining

Senior Reclamation File Specialist  
Title

Signature *Henry Sauer*

SUNNYSIDE COGENERATION ASSOCIATES

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

December 9, 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  
Project Number EC450593  
Violation N93-32-5-2, 1 of 2

Dear Randy,

This letter is written in regards to Violation Number N93-32-5-2, 1 of 2 for failure to place, in a controlled manner, and/or treat acid-forming material. Failure to place coal mine waste in an approved disposal facility. This violation was issued specifically for removal of the acid-forming material on the Old Coarse Refuse Road.

To date, SCA has been diligently seeking information to abate this violation. The Old Coarse Refuse Road was originally constructed during the 1970's with coarse refuse material. Since that time various maintenance and additional construction of a berm have been accomplished. There is very little information available at this time which is necessary to design reclamation activities. SCA believes that because of the steep slopes adjacent to the Old Coarse Refuse Road that proper reclamation design concepts need to be formulated. A little bit of thought should go into the construction methods that should be used and the general final plan of the reclamation of the road. The reclamation design concepts are necessary and need to be conveyed to a contractor so that the job is completed correctly so that as little harm as possible will be done to the environment.

SCA has been gathering information to formulate the reclamation concepts. To date SCA has invited three contractors to visit the Old Coarse Refuse Road to discuss construction techniques and costs involved with the project. From this we have learned that project of this type will require special equipment that is not normally used in a mining operation. Also, we have estimated the time to perform the construction will be approximately four months.

SCA has also dug various test pits to determine the quantity of material which has been placed on the road and to determine the depth to natural ground. General reclamation concepts have been discussed as to whether final or interim reclamation will be performed. As you understand the reclamation design and costs will be drastically different for each of these two reclamation scenarios.

Mr. Randy Harden  
December 9, 1993  
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At this time SCA is proposing a schedule for completion of reclamation of the Old Coarse Refuse Road as follows:

| <u>Activity</u>  | <u>Approximate Completion Date</u> |
|--|------------------------------------|
| Prepare Preliminary Reclamation Plans  | January 15, 1994                   |
| DOGM Review  | February 1, 1994                   |
| Revise PAP   | February 15, 1994                  |
| Prepare Final Reclamation Plans and Specifications<br>Obtain information on sources of mulch and fertilizer  | March 15, 1994                     |
| Bid Documents mailed to potential contractors  | March 20, 1994                     |
| Proposals accepted and reviewed  | April 15, 1994                     |
| Contract Awarded   | April 30, 1994                     |
| Begin Construction   | May 15, 1994 to July 15, 1994      |
| <ul style="list-style-type: none"><li>• Mobilization</li><li>• Coarse Refuse Removal</li></ul>   |                                    |
| Construction Continues   | July 15 to August 15, 1994         |
| <ul style="list-style-type: none"><li>• Finalize Coarse Refuse Removal</li><li>• All acid/toxic forming material removed (Abatement of Violation N93-32-5-2, 1 of 2</li></ul>                            |                                    |
| Construction Continues   | August 15 to September 15, 1994    |
| <ul style="list-style-type: none"><li>• Debris Clean-up and spot waste removal</li><li>• opening of borrow pit</li><li>• grading and fill placement</li></ul>  |                                    |
| Construction Continues   | September 15 to October 15, 1994   |
| <ul style="list-style-type: none"><li>• Ripping of Compacted sites</li><li>• topsoiling</li><li>• seedbed preparation</li><li>• delivery of much, fertilizer, seed, plants and erosion matting</li></ul> |                                    |
| Construction Continues and Completed   | October 15 to November 15, 1994    |
| <ul style="list-style-type: none"><li>• Regrade borrow pit</li><li>• fertilization</li><li>• mulching</li><li>• seeding</li><li>• Install erosion matting</li></ul>                                      |                                    |

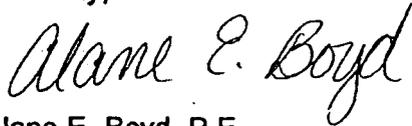
Mr. Randy Harden  
December 9, 1993  
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SCA believes that it would be best to perform the excavation and grading activities during the summer. This is because the period of spring snowmelt results in saturated soil conditions and the highest volume of natural runoff. The snowmelt can cause erosion of unstable or disturbed soils. Therefore, to cause least harm to the environment it is best to avoid this period for major grading or earth moving activities.

During the entire period SCA commits to providing DOGM with monthly progress reports outlining the status of the project. If you have any questions, please feel free to give me a call.

Sincerely,

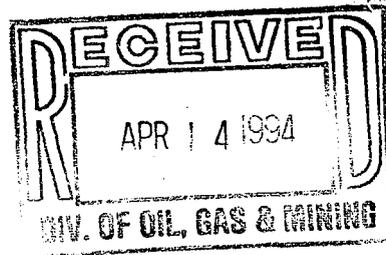


Alane E. Boyd, P.E.  
Senior Engineer

cc: Brian Burnett, CDN  
Jim Carter, DOGM  
David Pearce, SCA  
Joe Helfrich, DOGM

**SUNNYSIDE COGENERATION ASSOCIATES**

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



April 13, 1994

Joe Helfrich  
Division of Oil, Gas and Mining  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203

RE: Sunnyside Cogeneration Associates (SCA) Permit No. ACT/007/035  
Project Number EC450593  
Violation N93-32-5-2 No. 1 of 2 OLD COARSE REFUSE ROAD RECLAMATION

Dear Joe:

This letter is written in regards to Violation No. N93-32-5-2 No. 1 of 2. #5 Copy Joe

"Failure to place, in a controlled manner, and/or treat acid-forming material. Failure to place coal mine waste in an approved disposal facility. (The Old Coarse Refuse Road)."

SCA is progressing with the design of a reclamation plan. Preliminary plans for reclamation of the Old Coarse Refuse Road were provided to the Division on or about March 11, 1994.

SCA requests an extension to allow further progress as previously outlined in the schedule to complete needed reclamation work. SCA intends to have construction / reclamation activities completed in time to meet the seeding window of Fall 1994.

Sincerely,

*AEB for*  
David R Pearee  
Authorized Member, Management Committee

*Alane E. Boyd*  
Alane E. Boyd, PE  
Senior Engineer  
Eckhoff, Watson and Preator Engineering

cc: Brian Burnett, CDN  
Bill Malencik, DOGM  
Randy Harden, DOGM

AEB:ssc

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