



### MODIFICATION OF NOTICE OF VIOLATION / CESSATION ORDER

To the following Permittee or Operator:

Name SUNNYSIDE COGENERATION ASSOCIATES

Mailing Address 76 CALLISTER, DUNCAN + NEBEKER SUITE 800 KANWISWOTT BLDG. SLC UT 84133

State Permit No. ACT/001/035

Utah Coal Mining & Reclamation Act, Section 40-10-1 et seq., Utah Code Annotated (1953):

Notice of Violation No. N 93-40-5-9#1/9 dated 8/17, 19 93

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

<sup>NOV #</sup> Part 1 of 9 is modified as follows: IN ACCORDANCE WITH R-645-400-327 ET SEQ.

THE TIME FOR ABATEMENT IS EXTENDED TO NO LATER THAN 5:00 PM MARCH

REASON FOR MODIFICATION IS 15<sup>TH</sup>, 1994 (TUESDAY). THE SITE VISIT OF 2/2/94

REVEALED THAT THE OPPORTUNITY TO SEED, MULCH AND FERTILIZE IN ACCORDANCE

~~Part \_\_\_\_\_ of \_\_\_\_\_ is modified as follows:~~ WITH SECTION 9.9.2.1 OF THE RECLAMATION <sup>PLAN</sup> EXISTED.

AS NOTED IN THE ATTACHED PORTION (PGS 900-19 AND FIG. 9-1) OF THE

RECLAMATION PLAN THE DIVISION STAFF REQUESTS THE

FERTILIZER RATE OF 313 POUNDS PER ACRE BE REDUCED TO 150 POUNDS PER ACRE.

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

Date of service/ mailing 2/16/94

Time of service/ mailing 5:00  a.m.  p.m.

Date of inspection 8/17/93

FRED FINLINSON  
Permittee/Operator representative

RESIDENT AGENT  
Title

Signature

Joseph C. Hulreich  
Division of Oil, Gas & Mining

REGULATORY PROGRAM COORDINATOR  
Title

Signature

Joseph C. Hulreich

### 9.9.2.1 INTERIM RECLAMATION OF THE THIRD LIFT OF THE COARSE REFUSE PILE

Revegetation on all land that is disturbed by coal mining and reclamation operations will occur as contemporaneously as practicable with mining operations, except when such mining operations are conducted in accordance with a variance for combined SURFACE and UNDERGROUND COAL MINING AND RECLAMATION ACTIVITIES issued under R645-302-280. During the life of SCA operations, interim reclamation will be accomplished as necessary or as required by the Division. Cover material will be obtained from an approved borrow material site and the depth of cover will be approved by DOGM prior to conducting contemporaneous reclamation.

Presently, the only area requiring interim reclamation is the third lift of the coarse refuse pile. The Division has approved SCA's plan to cover the remaining portion of the third lift with two (2) feet of borrow material. The material in the designated Noncombustible Waste Disposal Site was previously approved by DOGM to use as borrow material, therefore, SCA will utilize this material to cover the remainder of the third lift. There are approximately two (2) acres remaining to be covered which will require a maximum of 6,500 cubic yards of material.

Revegetation will be accomplished in accordance with R645-301-353. The Interim Seed Mixture (Figure 9-1) will be utilized for interim reclamation of the third lift. Erosion and sediment control will consist of slope stabilization using 16-16-8 fertilizer at a rate of ~~313~~ pounds per acre and wood fiber mulch at a rate of one (1) ton per acre.

*150 gch 2/15/94*

### 9.9.3 SEEDING AND PLANTING

All seeding will be done during the fall of the year of reclamation in order to maximize revegetation success. It should be noted, however, that seeding using the interim seed mixture may occur during other seasons if needed to control erosion or soil degradation.

The seed mix, application rate, and seeding techniques are based on reclamation experience in the area, as well as on consideration of local environmental conditions of soil, slopes, elevation, and precipitation. Use of this seed mix will result in a rapidly established and effective vegetation cover capable of minimizing erosion and meeting the goals of the reclamation program. The seed mix proposed for use in final reclamation, shown on Plate 10-1, is designed to reestablish a wildlife vegetative type and will be planted throughout the disturbed area. This proposed seed mix contains species well adapted to the area, and will produce a diverse, effective vegetation cover capable of self-regeneration.

Seed availability will determine the ultimate seed mixture and variety of seed used. If a variety of seed is not available, DOGM will be notified and additional seed of one of the seeds listed or another species or variety will be substituted upon approval by DOGM so that the final PLS per acre is equivalent to the proposed mix.

During final reclamation, the seed mixture will be placed by either hydroseeding or by broadcast seeding, depending upon the slope. On steep slopes where equipment cannot be safely operated, the seed will be broadcast.

The final reclamation plan is designed to provide successful reclamation when compared with the current condition of the two reference areas. It is anticipated the required live shrub stem density can be achieved from the shrub seed currently in the seed mix.

FIGURE 9-1

INTERIM SEED SCHEDULE		
SPECIES	SEEDS/POUND	BROADCAST RATE #PLS/Acre
<u>Agropyron trichophorum</u> pubescent wheatgrass	90,000	3.6
<u>Agropyron trachycalum</u> slender wheatgrass	135,000	4.8
<u>Agropyron dasystachum</u> thickspike wheatgrass	186,000	1.8
<u>Elymus cinereus</u> great basin wildrye	130,000	3.77
<u>Saniguisorba minor</u> small burnett	55,000	3.0
<u>Achillea lanulosa</u> western yarrow	4,123,635	0.1
<u>Medicago Sativa</u> alfalfa	16,000	2.0
<b>TOTAL #PLS</b>		19.07