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State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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*Mine file  
ACT/007/035*

November 16, 1994

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

Dear Mr. Pearce:

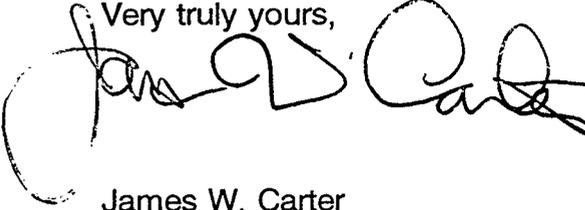
Please excuse this tardy response to your letter of August 25, 1994, requesting that I reconsider the Division's requirement that Sunnyside Cogeneration Associates (SCA) provide for characterization of the acid and toxic potential of materials contained within and immediately below the refuse pile (see Permit ACT/007/035 Findings Document condition #18). This information would be beyond that presently contained in the Mining and Reclamation Plan (MRP).

In discussing the merits of the Division's position with my staff, I must acknowledge the position that mining of the refuse pile will, in all probability, expose materials that are or may be acid/toxic in character, and that at present SCA's MRP lacks sufficient detail to adequately address appropriate means of handling these materials in final reclamation. A drilling and sampling program would help provide the characterization needed. Given the limited information contained in the plan addressing the groundwater regime, and quality within the east and west slurry cells and the coarse refuse pile, I believe a drilling program designed to sample the chemical character of the refuse will also help assess groundwater impacts.

I share your objective of not implementing an academic study of the refuse, but feel that the informational needs described in the preceding paragraph are legitimate requirements under the Utah Coal Regulatory Program, especially given our knowledge of water quality emanating from the base of the refuse pile.

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I recommend we meet in the next 30 days to design a schedule that will accommodate the short comings in the present MRP.

Very truly yours,  


James W. Carter  
Director

vb  
cc: L. Braxton  
D. Haddock  
H. Sauer  
PFO  
SCA113