



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

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August 28, 1995

Certified Return Receipt
P 074 975 970

Danny Mattingly, General Manager
Sunnyside Operations Associates L.P.
P.O. Box 10
East Carbon, Utah 84250

Re: Revised Draft Technical Analysis, Sunnyside Cogeneration Associates,
ACT/007/0735, Folders #2 & #5, Carbon County, Utah

Dear Mr. Mattingly:

The Division has completed review of the updated information for the SCA mining and reclamation plan received on July 17, 1995, and a revised draft of the Technical Analysis, dated August 16, 1995 is enclosed.

Changes to the draft Technical Analysis are minor and the majority of the deficiencies enumerated in the analysis remain outstanding. Additional information was received on August 15, 1995, and is under review by the Division at this time. The information provided in that submittal will not meet all of the deficiencies noted in the draft Technical Analysis. It is our understanding that the majority of the information related to these deficiencies cannot be prepared and submitted to the Division until such time as the drilling and analysis of the refuse pile is completed.

Resolution of these deficiencies is subject to violation N93-13-2-1. Based on the most recent proposed schedule, abatement of this violation does not seem possible for at least another 6 months which is approximately 6 months longer than the originally proposed abatement schedule for compliance with the NOV. These remaining deficiencies deal primarily with the development and approval of the reclamation plan. Information regarding the operation plan and current site conditions have primarily been resolved and incorporated into the operation plan to the extent that no hinderance to operational inspections by the Division is presented by the protracted schedule.

Failure to comply with the abatement date requirements as stipulated under the NOV result from delays caused by changes in ownership of the operations, costs associated with compliance with the NOV in conflict with other cost requirements for operations, and



problems associated with scheduling and contracting the drilling work for the refuse pile. While the Division can empathize with the reasons for such delays, SCA must make every reasonable effort to comply with the abatement requirements of the NOV in a timely manner.

The tentative schedule proposed by SCA indicating that the final changes to the permit will not be submitted to the Division until the middle of December, 1995 is not considered acceptable. A revised schedule must be provided, indicating a more contemporaneous abatement date for compliance with the NOV. Accordingly, the Division has provided sufficient time in the attached modification of N93-13-2-1 to allow that a revised schedule be submitted. The abatement date for submittal of adequate information has been extended to September 22, 1995. A revised schedule and progress report towards abatement of the NOV must be provided prior to that date in order to determine whether or not additional time will be allowed beyond that date.

If you have any questions, please call.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Randall Harden", with a long, sweeping horizontal flourish extending to the right.

J. Randall Harden, P.E.
Sr. Reclamation Engineer

Enclosures: Modification of Notice of Violation, dated August 28, 1995
Draft Technical Analysis, dated August 16, 1995

cc: J. Helfrich (letter only)
D. Haddock (letter only)