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State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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April 28, 1995

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

Re: Refuse Pile Drilling - Approved, Sunnyside Cogeneration Associates, Sunnyside Refuse & Slurry, ACT/007/035-95C, Folder #3, Carbon County, Utah

Dear Mr. Pearce:

The drilling program for the refuse pile submitted April 12, 1995 has been reviewed and is approved. Please submit seven finalized copies of this proposal to the Division by May 31, 1995.

Sincerely,

Pamela Grubaugh-Littig
Permit Coordinator

cc: Daron Haddock
Joe Helfrich

Form DOGM - D1 (Last Revised 2/95)

File Folder #3

PERMIT AMENDMENT APPROVAL

Title: Refuse Pile Drilling	PERMIT NUMBER: ACT/007/035
Description: April 12, 1995 drilling program proposal	PERMIT CHANGE #: 95C
	MINE: Sunnyside Refuse & Slurry
	PERMITTEE: Sunnyside Cogen Associates

WRITTEN FINDINGS FOR PERMIT APPLICATION APPROVAL	YES, NO or N/A
1. The application is complete and accurate and the applicant has complied with all the requirements of the State Program.	Yes
2. The proposed permit area is not within an area under study or administrative proceedings under a petition, filed pursuant to R645-103-400 or 30 CFR 769, to have an area designated as unsuitable for coal mining and reclamation operations, unless:	Yes
A. The applicant has demonstrated that before January 4, 1977, substantial legal and financial commitments were made in relation to the operation covered by the permit application, or	Yes
B. The applicant has demonstrated that the proposed permit area is not within an area designated as unsuitable for mining pursuant to R645-103-300 and R645-103-400 or 30 CFR 769 or subject to the prohibitions or limitations of R645-103-230.	Yes
3. For coal mining and reclamation operations where the private mineral estate to be mined has been severed from the private surface estate, the applicant has submitted to the Division the documentation required under R645-301-114.200.	Yes
4. The Division has made an assessment of the probable cumulative impacts of all anticipated coal mining and reclamation operations on the hydrologic balance in the cumulative impact area and has determined that the proposed operation has been designed to prevent material damage to the hydrologic balance outside the permit area.	Yes
5. The operation would not affect the continued existence of endangered or threatened species or result in destruction or adverse modification of their critical habitats, as determined under the Endangered Species Act of 1973 (16 U.S.C. 1531 et.seq.).	Yes
6. The Division has taken into account the effect of the proposed permitting action on properties listed on and eligible for listing on the National Register of Historic Places. This finding may be supported in part by inclusion of appropriate permit conditions or changes in the operation plan protecting historic resources, or a documented decision that the Division has determined that no additional protection measures are necessary.	Yes
7. The Applicant has demonstrated that reclamation as required by the State Program can be accomplished according to information given in the permit application.	Yes
8. The Applicant has demonstrated that any existing structure will comply with the applicable performance standards of R645-301 and R645-302.	Yes
9. The Applicant has paid all reclamation fees from previous and existing coal mining and reclamation operations as required by 30 CFR Part 870.	Yes
10. The Applicant has satisfied the applicable requirements of R645-302.	NA
11. The Applicant has, if applicable, satisfied the requirements for approval of a long-term, intensive agricultural postmining land use, in accordance with the requirements of R645-301-353.400.	NA

SPECIAL CONDITIONS OR STIPULATIONS TO THE PERMIT AMENDMENT APPROVAL	YES	NO
1. Are there any variances associated with this permit amendment approval? If yes, attach.		X
2. Are there any special conditions associated with this permit amendment approval? If yes, attach.		X
3. Are there any stipulations associated with this permit amendment approval? If yes, attach.		X

The Division hereby grants approval for Permit Amendment to the Existing Permit by incorporation of the proposed changes described herein and effective the date signed below. All other terms and conditions of the Existing Permit shall be maintained and in effect except as superseded by this Permit Amendment.

Signed Dalton Q. Haddock
Division of Oil, Gas and Mining

4/22/95
EFFECTIVE DATE