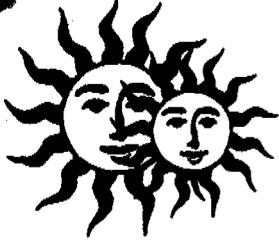


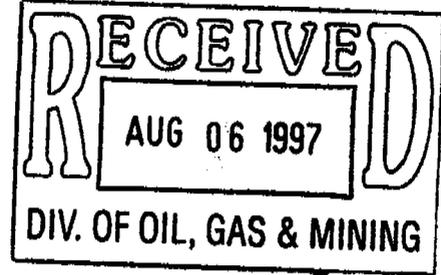
0007



Sunnyside Cogeneration Associates

P.O. Box 10, East Carbon, Utah 84520 • (801) 888-4476 • Fax (801) 888-2538

August 4, 1997



Mr. William J. Malencik
Division of Oil, Gas and Mining
c/o College of Eastern Utah
451 East 400 North
Price, Utah 84501

Subject: Notice of violation issued to Sunnyside Cogeneration Associates
No: N97-26-4-1

Copy Joe

*ACT/007/035 #5
NOV file*

Dear Bill:

We are in receipt of your letter dated July 30, 1997, concerning the extension of our abatement time on the above referenced Notice of Violation and the Utah Coal Rules governing request and approval of extensions 90 days from the date of the NOV. We understand any further extensions must be requested through your State offices in Salt Lake City.

I also wish to inform you authorization was received from the owners to submit the Legal Identity Report application to MSHA. The application was completed and submitted to the MSHA District Office in Denver, Colorado, on August 1, 1997. We will be in constant contact with the MSHA offices in Denver, Colorado, and Price, Utah, to hurry the process of assigning the Identity Number to the properties in question.

A copy of your letter was enclosed with the MSHA Legal Identity Report application to impress MSHA of the urgency of resolving the issue in an expedient manner. Hopefully MSHA will assign the number(s) quickly and this will be resolved before the expiration of the abatement extension date of September 9, 1997. However; as you suggested, we will be in contact with Mr. Joe Helfrich of DOGM to keep him informed of our progress.

Your cooperation on this matter is appreciated and we look forward to resolving this issue soon.

Sincerely,

Harold C. Sallas
General Manager

- cc: James W. Carter, Utah DOGM
- ✓ Joe Helfrich, Utah DOGM
- John Hill, NRG
- Walt Strotz, B&W
- Rusty Netz, SOA



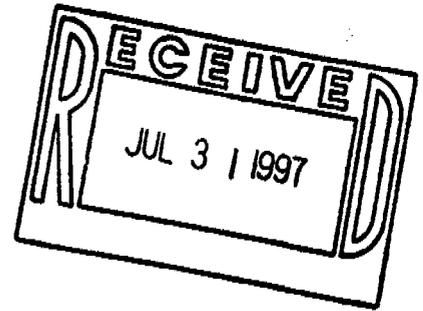
State of Utah
 DEPARTMENT OF NATURAL RESOURCES
 DIVISION OF OIL, GAS AND MINING

1594 West North Temple, Suite 1210

Box 145801
 Salt Lake City, Utah 84114-5801

(801) 538-5340
 (801) 359-3940 (Fax)

Michael O. Leavitt
 Governor
 Ted Stewart
 Executive Director
 James W. Carter
 Division Director



July 30, 1997

Harold Sallas
 General Manager
 Sunnyside Cogeneration Associates
 PO Box 16
 East Carbon UT 84520

RE: Abatement Time Extension, NOV97-26-4-1, Sunnyside Cogeneration Associates, Sunnyside Refuse and Slurry, ACT/007/035, Folder #5, Carbon County, Utah

Dear Mr. Sallas:

This letter has reference to your recent timely telephone call and letter requesting the third extension on Notice of Violation N97-26-4-1. Attached is your approved extension.

The initial NOV and extension now covers a 90 day time period. Please refer to referenced coal rules cited below for guidance should you require additional future extensions. Your justification and timely request for the extension was approved effective July 25, 1997. I can fully appreciate that the final abatement rests with MSHA to prepare the authorizing documents. You have no control over this date. However, hope you can use this letter and the coal rules cited below together with other information to strengthen your request to MSHA for a suitable closure date on this matter.

The Utah Coal Rules are more stringent on requests for and approving extensions 90 days from the date of the NOV. Please refer to the following citations in the Coal Rules.

- | | |
|------------------------------------|---|
| R645-400-324 | 90 day limitation on NOV abatement/extensions |
| R645-400-327-100, -200, -300, -400 | Four circumstances which may qualify for extensions more than 90 days. |
| R645-400-328-100, -200, -300, -400 | Allied information including the Director or designee who will act on the extension in excess of 90 days. |
| R645-401-420 | Failure to abate NOV within designated period provides for a civil penalty of not less than \$750.00 per day. |

Page 2
H. Sallas
Abatement Time Extension
July 30, 1997



Hope this information will be helpful. As the old saying, "an ounce of prevention is worth a pound of cure." My motive is prevention by pointing out and making you aware of applicable coal rules. Would suggest you discuss, well in advance, the need for any further extension with Mr. Helfrich in order to avoid a civil penalty should you not be in a position to meet the abatement dates cited in the attached extension.

Sincerely,

A handwritten signature in cursive script, appearing to read "Wm. J. Malencik".

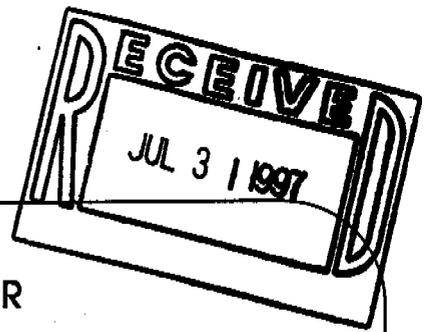
Wm. J. Malencik
Reclamation Specialist

ad
Enclosure
cc: Joe Helfrich, DOGM, SLC



UTAH
NATURAL RESOURCES
Oil, Gas & Mining

3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340



MODIFICATION OF NOTICE OF VIOLATION/CESSATION ORDER

To the following Permittee or Operator:

Name Sunridge Cogeneration Associates

Mailing Address PO Box 10, East Carbon, UT 84520

State Permit No. Act 0071035

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

Notice of Violation No. N 97-26-4-1 dated June 11, 1997.

Cessation Order No. C N/A dated _____, 19____.

Part 1 of 1 is modified as follows: Abatement item #1 extended from 7/26/97 to August 11, 1997; item #2 from 8/26/97 to

Reason for modification is September 9, 1997.

See attached letter on extensions wherein the

Part 1 of 1 is modified as follows: request exceeds an abatement of 90 days or more. Effective date of the extension

Reason for modification is 7/25/97.

Part _____ of _____ is modified as follows: _____

Date of service/mailling July 30, 1997

Time of service/mailling 4:00 a.m. p.m.

Date of Inspection June 11, 1997

Harold C. Sallas
Permittee/Operator representative

General Manager
Title

[Signature]
Signature

Wm J. Malencik
Division of Oil, Gas & Mining

Rec. Spec.
Title

[Signature]
Signature
7/25/97