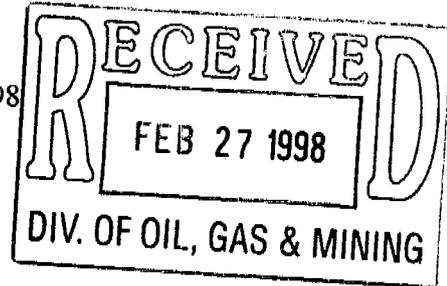


Sunnyside Cogeneration Associates

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

February 25, 1998



Pam Grubaugh-Lettig
Utah Coal Regulatory Program
Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84114-5801

Attn: Pam Grubaugh-Lettig

RE: Determination of Administrative Completeness for Permit Renewal, Sunnyside Cogeneration Associates, ACT/007/035-97PR.

Dear Pam:

The following provides SCA's response to comments which the Division of Oil, Gas & Mining received from the Utah Division of Wildlife Resources ("DWR") and the United States Department of the Interior ("USDI") (re: DWR and USDI letters dated January 13, 1998).

DWR Comment: In recent years, bighorn sheep and moose have been found adjacent to the permit area and elk are transient residents of the area. These animals should be added, along with the appropriate biological description to the mammals subsection of Section 322, FISH AND WILDLIFE INFORMATION.

SCA Response: SCA will add these animals and their biological descriptions accordingly.

DWR / USDI Comments: The bald eagle is no longer listed as an endangered species. However, peregrine falcons, a listed endangered species are found in Carbon County and should be included with golden eagles and other raptors in Figure 3-5.

SCA Response: SCA will remove the reference to the bald eagle as an endangered species, and will add the peregrine falcon to the raptor section in Figure 3-5.

DWR / USDI Comments: Raptor surveys should be conducted by the company to determine nest site locations in relation to the permit activities. Given the importance of the area for raptors, we recommend that the company conduct raptor survey flights. These flights should be conducted once every three years

in the area east of the permit area if ferruginous hawk habitat is found. A DWR representative will need to be on the survey to verify nest status and raptor species.

SCA Response: SCA is mining waste coal (previously deposited when the Sunnyside Coal Company's mining operations were active) and is restoring the existing waste coal site to post mining configuration/use. Over time, SCA's mining & reclamation activities should enhance the natural habitat. Considering pre-existing conditions at the permit site and other adjoining areas, it is highly unlikely that SCA's mining & reclamation activities would have a negative impact on potential raptor nesting sites. As such, SCA does not believe that DWR / USDI's recommendation to conduct raptor surveys are justified.

DWR / USDI Issues: Measures should be taken to ensure that unauthorized discharges into Grassy Trail Creek do not occur. Proper containment of coal and ash piles is essential to reduce potential contamination of the creek. What is the status of water flow in Grassy Trail Creek associated with this permit? Is the company required to release some water and if so how much, and how is it monitored? Grassy Trail Creek supports rainbow trout. Sufficient water should be retained within the creek to sustain the trout fishery.

SCA Response: Appropriate control measures are currently in place to prevent unauthorized discharges to all Utah surface waters under SCA's approved mining/reclamation plan and associated DOGM and UPDES permits. Specific DWR and USDI comments regarding Grassy Trail Creek appear to be inappropriate since SCA's mining/reclamation operation does not withdraw water from, or discharge water to, Grassy Trail Creek.

DWR Comment: A dryland alfalfa, either nomak or ladak, should be used in the interim and final reclamation seed mix. The alfalfa should be applied at a rate of four pounds per acre. The interim mix would also benefit with the addition of yellow sweet clover. The type of rabbitbrush to be used in the final reclamation is unspecified. The green subspecies of rabbitbrush (*Chrystamnus nauseosus graveolens*) Utah source, should be used in the final seed mix.

SCA Comment: SCA's reclamation seed mix was originally developed under the guidance of DOGM staff. SCA will continue to rely on DOGM's approval of acceptable interim and final reclamation seed mixtures.

If you have any questions or if further clarification is needed please contact Rusty Netz at (435)888-4476.

Thank You,
Sunnyside Operations Associates, L. P.



Harold C. Sallas
General Manager

cc. Doug Bunham, B&W
Bob Evans, NRG
Rusty Netz, SOA
Plant File