

U. S. Department of Labor

Mine Safety and Health Administration
P O Box 25367
Denver, Colorado 80225



0019

Coal Mine Safety and Health
District 9

SEP 10 2001

SEP 13 2001

Randy J. Scott
Plant Manager
Sunnyside Cogeneration Associates
One Power Plant Road
Sunnyside, UT 84539

*cc: Randy Scott
Randy Scott*

RE: Sunnyside Waste Coal Site
Mine ID No. 42-02093
~~Waste Slurry Impoundment~~
ID No. 1211-UT-09-02093-03
Impoundment Abandonment

Dear Mr. Scott:

Incoming c/007/035

MSHA personnel have reviewed and concur with the certification that the referenced site was abandoned in a manner to preclude the probability of future impoundment of water, sediment, or slurry. The above referenced impoundment is approved for abandonment and will be removed from the mine files.

The referenced impoundment identification number will be removed from the mine file. MSHA inspection and reporting requirements no longer apply to the referenced structure.

If you have any questions regarding this approval, please contact Billy Owens at 303-231-5463 extension 145 or 303-231-5458.

Sincerely,

John A. Kuzar
John A. Kuzar
District Manager



Coal Mine Safety and Health
District 9

SEP 12 2001

Randy J. Scott
Plant Manager
Sunnyside Cogeneration Associates
One Power Plant Road
Sunnyside, UT 84539

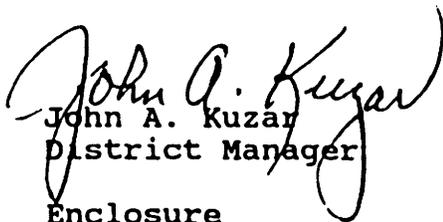
RE: Sunnyside Waste Coal Site
Mine ID No. 42-02093
~~XXXXXXXXXX~~
ID #1211-UT-09-02093-02
Impoundment Inspection Interval

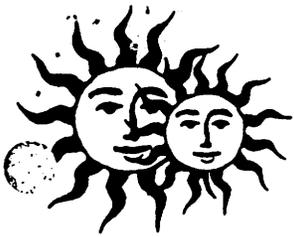
Dear Mr. Scott:

Your request, in a letter dated August 29, 2001, concerning authorization to change the referenced impounding structure's mandatory inspection interval is **approved** in accordance with 30 CFR 77.216-3(a)(1). This approval is site-specific to the above referenced impoundment structure for the subject mine and will terminate when the site is abandoned or when you are notified of termination by the District Manager.

If you have any questions regarding this approval letter, please contact Billy Owens or Alice Perry of this office at 303-231-5463 extensions 145 and 139, respectively, or 303-231-5458.

Sincerely,


John A. Kuzar
District Manager
Enclosure

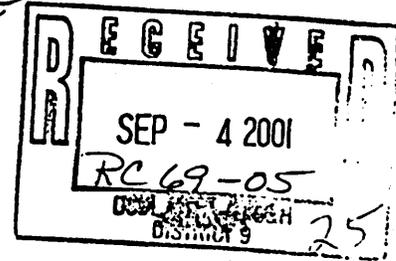


Sunnyside Cogeneration Associates

P.O. Box 10, East Carbon, Utah 84520 • (435) 888-4476 • Fax (435) 888-2538

12
9/6/01

August 29, 2001



Mine Safety & Health Administration
District Manager
John A. Kuzar
P.O.Box 25367 D.F.C.
Denver, Co. 80225
Phone (303)231-5458

Re: Sunnyside Coal Waste Site, 42-02093
East Slurry Impoundment, 1211-UT-09-02093-02
Coal Refuse Pile, 1211-UT-09-02093-01

Dear Mr. Kuzar

Sunnyside Cogeneration Associates(SCA) is requesting your approval to change our inspection frequency on the above referenced impoundment's and coal refuse pile. At the present we are inspecting the structures once every seven days(weekly), and are requesting that the inspection be made every 30 days(monthly).

The East Slurry Pond has not been used for its designed purpose, to contain slurry discharge, since 1995. At present, only storm water events report to the pond, with plenty of free board space.

The Coal Refuse Pile is currently being mined and has been since 1993. In 1995, the Sunnyside Coal Company stopped placing refuse material on the pile.

The following are steps and precautions that SCA would take upon this request being approved.

1. If a seismic activity occurs in the vicinity of the impoundment/refuse pile, an on-site inspection shall commence immediately.
2. If someone reports an unusual condition that may affect the safety/stability of the impoundment/refuse pile, an on-site inspection shall commence immediately.
3. If a significant runoff/precipitation event occurs, an on-site inspection will follow.

APPROVED

SEP 12 2001

MS&H

District Manager
John A. Kuzar
August 28, 2001
Page Two

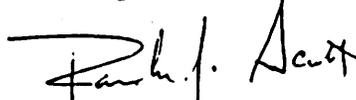
4. The impoundment/refuse pile will be inspected at an interval not to exceed 30 days.
5. A daily monitoring record of the measurable rainfall shall be kept. All records about the impoundment/refuse pile shall be made available to MSHA personnel upon request.

The inspection frequency requirements will not preclude additional safety measures that an on site MSHA representative may require.

Should you have any questions, please contact Rusty Netz at (435) 888-4476.

Sincerely,

Agent For
Sunnyside Cogeneration Associates



Randy J. Scott
Plant Manager

c.c. Ted E. Farmer/Supervisory CMS&H Inspector-Price
Gene Ray/Supervisory CMS&H Inspector-Price
Plant File

APPROVED

JUL 12 2001

CMS&H