

INCOMING
C0070035

Task # 2223
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Sunnyside Cogeneration Associates

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

April 13, 2005

RECEIVED

APR 18 2005

DIV. OF OIL, GAS & MINING

Utah Division of Oil Gas and Mining
Attn. Pamela Grubaugh-Littig
1594 West North Temple, Suite 1210
PO Box 145801
Salt Lake City UT 84114-5801

RE: SCA Sunnyside Refuse & Slurry, C/007/035, Task ID #2058
Excess Spoil Disposal Area #2 Design Revision

Dear Pam:

We have prepared this letter in response to your request for additional information regarding the requested design revision to the Excess Spoil Disposal Area #2. We have recompiled the permit amendment submittal package to provide you with additional information. The main changes being requested are shown on the drawings dated October 18, 2004 which consists of map revisions to show an increase in side slopes for the Excess Spoil Disposal Area #2. Minor updates to Appendix 9-7 have also been made to maintain consistency with the drawing changes. Other existing documents in the permit that you may want to reference include the following:

- * Appendix 7-3 and drawings 7-1, 7-1G and 7-9 which address hydrologic conditions which existed when this disposal area was originally approved
- * Drawings in Chapter 8 show the permit term reclamation plan and soil cover quantities
- * Drawings in Chapter 10 show the final reclamation plan and soil cover quantities

This slope increase is requested in an effort to increase the capacity of the disposal area without increasing the total area affected by the pile. The slope previously approved was very gentle and did not allow for sufficient use of the space. The slopes proposed in this amendment are still relatively gentle and reach maximum slopes of approximately 15% to 20%.

As you are aware, this disposal area location was selected and approved several years ago because it was already a disturbed area and consisted of three existing ponds with significant capacity within the pond. This location is also efficient for the operations because of its close proximity to the main processing facilities.

When bond calculations were conducted at the last permit renewal, adequate quantities were allocated to place soil cover over the entire disposal area. Since soil cover depths are still the same and the area has not increased, no noticeable change in soil cover will occur when slopes are changed from 5% to 15 or 20%. The bond should be adequate in its existing form. We have added a detailed area and volume calculation to Appendix 9-7 for the cross sections shown on the revised drawing set. We expect that this added information will help you in your efforts at quantity verification.

file in C0070035 Sunnyside
Date 04/30/05 Refer to:

Confidential
 Shelf
 Expandable
For additional information

Please let us know if you need any additional information to complete the processing of this permit amendment.

Sincerely,

A handwritten signature in cursive script that reads "Rusty Netz". The letters are connected and fluid, with a prominent loop at the end of the word "Netz".

Rusty Netz
Acting Plant Manager

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change New Permit Renewal Exploration Bond Release Transfer

Permittee: Sunnyside Cogeneration Associates

Mine: Sunnyside Refuse and Slurry

Permit Number: C/007/035

Title: Excess Spoil Disposal Area #2 - Design Revision

Description, Include reason for application and timing required to implement:
Adjust Design Slope of disposal area to increase capacity

Instructions: If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

- Yes No 1. Change in the size of the Permit Area? Acres: _____ Disturbed Area: _____ increase decrease.
- Yes No 2. Is the application submitted as a result of a Division Order? DO# _____
- Yes No 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?
- Yes No 4. Does the application include operations in hydrologic basins other than as currently approved?
- Yes No 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?
- Yes No 6. Does the application require or include public notice publication?
- Yes No 7. Does the application require or include ownership, control, right-of-entry, or compliance information?
- Yes No 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
- Yes No 9. Is the application submitted as a result of a Violation? NOV # _____
- Yes No 10. Is the application submitted as a result of other laws or regulations or policies?
Explain: _____
- Yes No 11. Does the application affect the surface landowner or change the post mining land use?
- Yes No 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)
- Yes No 13. Does the application require or include collection and reporting of any baseline information?
- Yes No 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
- Yes No 15. Does the application require or include soil removal, storage or placement?
- Yes No 16. Does the application require or include vegetation monitoring, removal or revegetation activities?
- Yes No 17. Does the application require or include construction, modification, or removal of surface facilities?
- Yes No 18. Does the application require or include water monitoring, sediment or drainage control measures?
- Yes No 19. Does the application require or include certified designs, maps or calculation?
- Yes No 20. Does the application require or include subsidence control or monitoring?
- Yes No 21. Have reclamation costs for bonding been provided?
- Yes No 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?
- Yes No 23. Does the application affect permits issued by other agencies or permits issued to other entities?

Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you. (These numbers include a copy for the Price Field Office)

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

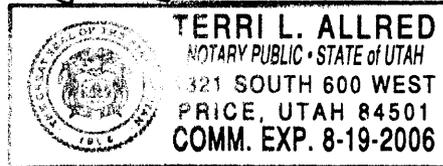
Rusty Netz
 Print Name

Rusty Netz, Acting Plant mgr.
 Sign Name, Position, Date

Subscribed and sworn to before me this 13 day of April, 2006

Terril L. Allred
 Notary Public

My commission Expires: 08-19, 2006
 Attest: State of UTAH } ss:
 County of Carbon



For Office Use Only: 	Assigned Tracking Number: 	Received by Oil, Gas & Mining RECEIVED APR 18 2005 DIV. OF OIL, GAS & MINING
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