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State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

Outgoing
C0070035
OK

December 31, 2008

Michael Blakey, Plant Manager
Sunnyside Cogeneration Associates
P.O. Box 159
Sunnyside, UT 84539

Subject: 2007 Annual Report Review, Sunnyside Cogeneration, C/007/0035, Task ID # 3063
Outgoing File

Dear Mr. Blakey:

The Division staff has completed the 2007 Annual Report Review. Enclosed is a copy of the review for Sunnyside Cogeneration, C/007/0035 completed on December 31, 2008.

Thank you for your diligence in completing the Annual Report. If you have any questions, please call me at (801) 538-5325.

Sincerely,

Daron Haddock
Permit Supervisor

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2007 Annual Report Review

Permittee: Sunnyside Cogeneration Associates
Mine Name: Sunnyside Refuse/Slurry
Permit Number: C/007/0035
Date Report Received: May 12, 2008

Assigned Reviewer: Karl R. Houskeeper | **Date Completed** July 30, 2008
Ingrid Wieser, Biology | December 16, 2008

Instructions: The assigned inspector will review the Annual report during the third quarter complete inspection and provide a written determination (finding) on how the mine has or has not met the permit requirements for reporting. If the report is deficient or remedial action is required to obtain compliance, this should be noted and the mine lead notified. A copy of this review will be filed with the Inspection Report. Should any of the sections require additional technical analysis, the inspector will notify the permit supervisor so that it can be scheduled during the 4th quarter.

SECTIONS TO REVIEW	SUBMITTED			FINDINGS
	YES	NO	NA	
Cover Sheet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The standard cover sheet developed by the Division was not used. The report has the same information provided as a table of contents.
General Information	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Identification of other Permits	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Annual Impoundment Certification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The report contains all four quarters 2007 of inspections in addition to the annual/fourth qtr.2007 inspection and certification.
Annual Overburden, Spoil, Refuse, Floor, etc. Certified Report	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The report contains all four quarters 2007 of inspections in addition to the annual/fourth qtr.2007 inspection and certification.
Annual Technical Requirements (Commitments)				
Climatological	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Appendix B-1 contains precipitation and climatological data for 2007.
Subsidence	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Vegetation monitoring	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A vegetation study is contained in Appendix B-1. The table of contents provides a discussion on the study located at page 4 & 5. This information needs to be reviewed by a Division Biologist since it will be used in a Phase III or Final Bond Release request for the Old Coarse Refuse Road. *See Comments below*
Raptor Survey	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Soils Monitoring	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SCA gathered soil samples from the Excess Spoil Disposal Area #1. The results can be found under Appendix A Second Quarter Inspections.
Water Monitoring	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Baseline parameters were sampled in the first quarter Of 2007 as required in the MRP. Appendix B-3 contains the water monitoring information for 2007.
Geological/Geophysical	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Engineering	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SCA excavated 191,039 tons of waste from the Sunnyside refuse pile. From that excavated amount 15,605 tons of reject was disposed of in the Excess Disposal Area #1 and 20,381 was disposed of in Excess Disposal Area #2.
Non-Coal Waste	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Abandoned Underground Equipment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	

2007 Annual Report Review

AVS; Legal/ Financial Update	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Certificate of existence from Utah Department of Commerce, Appendix C.
Mine Sequence Map	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Contour elevations show site condition as of 4/07, contours based on aerial survey. Photo insert taken on 10/20/2007. Map is P.E. certified. Proposed future excavation is contained in the MRP.
Other Information	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Vegetation Monitoring: Pat Collins of Mt. Nebo Scientific conducted Final year Vegetation Monitoring in August of 2007. Quantitative and Qualitative data were collected between 1996 and 2007, with the year one and two monitoring data for Phase III bond release occurring in 2006 and 2007 respectively. The Reference area consists of Atriplex/ grass community and was used as the standard of success for the reclaimed area. Cover, frequency, Composition, Density and Diversity data was collected on randomly placed samples throughout the reclaimed site. Total living cover and Woody species density for the reclaimed site was significantly greater than that of the reference area. Three diversity indices were calculated including MacArthur's index, Average number of species and Richness. All diversity indices were greater for the reclaimed area than the reference area. For Phase III bond release, one of the success standards for reclaimed areas with a post-mining use of wildlife habitat is that at least 80 % of trees and shrubs must be in place for at least 60% of the responsibility period. (See R645-301-356). In the Phase III bond release application, the applicants will have to include vegetation-monitoring reports to demonstrate that the reclaimed site vegetation meets this standard. Otherwise, all other standards for the reclaimed areas exceed the reference area standards, and should be adequate for Phase III bond release.

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