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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
#3286
R

December 17, 2009

Michael Blakely, Plant Manager
Sunnyside Cogeneration Associates
One Power Plant Road
P.O. Box 159
Sunnyside, Utah 84539

Subject: 2008 Annual Report Review, Sunnyside Refuse Slurry, C/007/0035, Task ID # 3286
Outgoing File

Dear Mr. Blakely:

The Division staff has completed the 2008 Annual Report Review. Enclosed is a copy of the review for Sunnyside Refuse Slurry, C/007/0035 completed on December 17, 2009.

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

Sincerely,

Daron R. Haddock
Permit Supervisor

sqs
Enclosure
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This Annual Report shows information the Division has for your mine. Please review the information to see if it is current. If the information needs to be updated please do so in this document. At the end of each section the operator is asked to verify if the information is correct. Please answer these questions and make all comments on this document. Submit the completed document and any additional information identified in the Appendicies to the Division by April 30, 2009. During a complete inspection an inspector will check and verify the information. To enter text, click in the cell and type your response. You can use the tab key to move from one field to the next. To enter an X in a box, click next to the box, right click, and select properties, then the checked circle, then hit enter, or hit the unchecked circle if the X is to be removed.

GENERAL INFORMATION

Permitte Name	Sunnyside Cogeneration Associates
Mine Name	Sunnyside Refuse/Slurry
Operator Name (If other then permittee)	
Permit Expiration Date	February 4, 2013
Permit Number	C/007/0035
Authorized Representative Title	Michael J. Blakey. Plant Manager
Phone Number	(435) 888-4476
Fax Number	(435) 888-2358
E-mail Address	
Mailing Address	One Power Plant Road P.O. Box 159 Sunnyside, UT 84539
Designated Representative	Michael J. Blakey
Resident Agent	Michael J. Blakey
Resident Agent Mailing Address	One Power Plant Road P.O. Box 159 Sunnyside, UT 84539
Number of Binders Submitted	

Operator, please update any incorrect information.

IDENTIFICATION OF OTHER PERMITS

Identify other permits that are required in conjunction with mining and reclamation activities.

Permit Type	ID Number	Description	Expiration Date
MSHA Mine ID(s)	42-02093	Waste Coal Site	
MSHA Impoundment(s)	1211-UT-09-02093-01	Coarse Refuse Pile	
	1211-UT-09-02093-02	East Slurry Cell	
	1211-UT-09-02093-03	Excess Spoil Disposal Area #1	
	1211-UT-09-02093-04	Excess Spoil Disposal Area #2	
NPDES/UPDES Permit(s)	UT0024759		July 31, 2012
PSD Permit(s) (Air)	700030001	Air Quality Title V Operating Permit	
	DAQE-AN0096020-06	Latest Revised Permit	
Other			

Operator, please update any incorrect information.

CERTIFIED REPORTS

List the certified inspection reports as required by the rules and under the approved plan that must be periodically submitted to the Division. Specify whether the information is included as Appendix A to this report or currently on file with the Division.

Certified Reports:	Required		Included Included	or DOGM file location Vol, Chapter, Page
	Yes	No		
Excess Spoil Piles	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Refuse Piles	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Impoundments	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Other				
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Operator Comments:

Inspector:

Has the operator complied with this section? Yes No

Inspector Comments: The operator did not utilize this form. They generated the information in a format consistent with their report format submission. The operator provided certified reports for all sediment ponds, (2) excess spoil piles and the refuse pile for all four quarters of 2008 in addition to a 2008 annual certification in the 2008 annual report.

COMMITMENTS AND CONDITIONS

The Permittee is responsible for ensuring annual technical commitments in the MRP and conditions accepted with the permit are completed throughout the year. The Division has identified these commitments below and has provided space for you to report what you have done during the past year for each commitment. If the particular section is blank, no commitment has been identified and no response is required for this report. If additional written response is required, it should be filed under Appendix B to this report.

Admin R645-301-100
Soils R645-301-200
Biology R645-301-300

Title: MIGRATORY ROUTES

Objective: To maintain large animal migratory routes where excavation related structures prevent necessary migrations.

Frequency: As needed.

Status: Ongoing.

Reports: Annual.

Citation: Book 2, chapter 3, page 300-14, paragraph 10

Operator: Has this commitment been acted on this year?

Yes No Not required this year. If yes, comment;

Operator Comments:

Inspector:

Has the operator complied with this commitment? Yes No

Inspector Comments: No information provided.

Title: EMPLOYEE AWARENESS PROGRAM

Objective: To protect and enhance wildlife populations.

Frequency: As needed.

Status: Ongoing

Reports: Annual.

Citation: Book 2, chapter 3, page 300-15, paragraph 2.

Operator: Has this commitment been acted on this year?

Yes No Not required this year. If yes, comment;

Operator Comments:

Inspector:

Has the operator complied with this commitment? Yes No

Inspector Comments: No information provided.

Title: ANNUAL RECLAMATION

Objective: To reclaim areas no longer needed for mining activities and reduce the acreage under the current reclamation cost estimate.

Frequency: Annually.

Status: Ongoing.

Reports: Annual.

Citation: Book 6, chapter 9, page 900-25, section 9.12, paragraph 2.

Operator: Has this commitment been acted on this year?

Yes No Not required this year. If yes, comment;

Operator Comments:

Inspector:

Has the operator complied with this commitment? Yes No

Inspector Comments: No information provided.

Landuse, Cultural Resources, Air Quality R645-301- 400

Engineering R645-301-500

Geology R645-301-600

Hydrology R645-301-700

Bonding & Insurance R645-301-800

Other Commitments

*Reminder: If equipment has been abandoned during 2008, an amendment must be submitted that includes a map showing its location, a description of what was abandoned, whether there were any hazardous or toxic materials and any revision to the PHC as necessary.

REPORTING OF OTHER TECHNICAL DATA

List other technical data and information as required under the approved plan, which must be periodically submitted to the Division. Specify whether the information is included as Appendix B to this report or currently on file with the Division.

Operator Comments:

Inspector:

Has the operator complied with this section? Yes No

Inspector Comments: No information provided.

Climatological Data was submitted in Appendix B-1 for the year. The data sheets show the average daily high and low temperatures and the daily amount of precipitation. Cumulative totals were reported for high temperature, low temperature, total precipitation. The average monthly precipitation was 1.04 and total precipitation was 12.53 inches. Water monitoring information was reported in Appendix B-3. A 2003-2008 water quality summary was submitted in Appendix B-4, parameters were submitted on graphs in Figures F1-F5.

LEGAL, FINANCIAL, COMPLIANCE AND RELATED INFORMATION

Change in administration or corporate structure can often bring about necessary changes to information found in the mining and reclamation plan. The Division is Requesting that each Permittee review and update the legal, financial, compliance and related information in the plan as part of the annual report. Please provide the Department of Commerce, Annual Report of Officers, or other equivalent information as necessary to ensure that the information provided in the plan is current. Provide any other change as necessary regarding land ownership, lease acquisitions, legal results from appeals of violations, or other changes as necessary to update information required in the mining and reclamation plan. Include certified financial statements, audits or worksheets, which may be required to meet bonding requirements. Specify whether the information is currently on file with the Division or included as Appendix C to the report

Legal / Financial Update	Required		Included or DOGM File location	Comments
	Yes	No		

Department of Commerce, Annual Report Officers	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Other				
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Operator Comments:

Inspector:

Has the operator complied with this section? Yes No

Inspector Comments: The reports included in the 2008 Annual Report from the Utah Department of Commerce show that the company is in good standing.

MAPS

Copies of mine maps, current and up-to-date through at least December 31, 2007, are to be provided to the Division as Appendix D to this report in accordance with the requirements of R 645-301-525.240. These map copies shall be made in accordance with 30 CFR 75.1200 as required by MSHA. Upon request, the Division shall keep mine maps confidential. Please provide a CD.

Map Number(s)	Map Title/ Description
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Operator Comments:**Inspector:**

Has the operator complied with this section? Yes No

Inspector Comments: The soils information provided for Disposal Area #2 should be reviewed by the Division Soil Scientist.

The operator provided water monitoring and a water quality summary reports in Appendix B. The information was checked by the Division hydrologist, David Darby. All information appears satisfactory. The Permittee has submitted the required water monitoring data to the DOGM database for 2008. Monitoring is current and complete.

Priscilla Burton, Division Soil Scientist, reviewed the soils information in the Annual Report on August 5, 2009. Excess Spoil Pile #2 is described in Chapter 9 and Appendices 9-5 and 9-7. The reporting requirement for the Excess Disposal Areas is stated in the MRP (p. 900-10) as one grab sample per acre, taken from each four-foot lift immediately following the completion of the lift and throughout construction of the pile. Analysis will be for the constituents outlined in DOGM's guidelines.

The MRP states that in October 2002 there was 150,000 cu yds capacity remaining in Excess Disposal Area #2 (p. 900-12). The Annual Report, Appendix A, year-end report, states that 35,439 tons of material were placed in Excess Disposal Area #2 during the year 2008. The 2003 through 2008 annual reports, indicate that 129,917 Tons of material has been placed in Excess Spoil Pile #2 since October 2002. The waste is assumed to have a density of between 1.2 and 1.5 T/cu yd and Excess Spoil Pile #2 will likely reach design height in the next six months (personal communication with Rusty Netz, Aug 5, 2009). As discussed with Mr. Netz, final sampling of the waste pile should be conducted on a per acre basis as described in the MRP and using the recommended analyses described in the Division Guidelines for Topsoil and Overburden.

Appendix B provides two spoil sample analyses dated April 2008 (Spoil #2 East and Spoil #2 West). The SAR was calculated using water extraction values for Ca, Mg and Na ions, although these values were not listed in the analytical report (phone communication with John Williams, American West Analytical Laboratories, August 5, 2009). The acid/base accounting followed OGM's recommended procedure and indicates that the material may be acid forming and should be buried under four feet of cover. Boron and Selenium values are Total metals and cannot be correlated with the Division guidelines for water soluble and hot water extracted values.

The MRP states the capacity of the Excess Spoil Disposal Area #1 as 467,800 cu yds (p. 900-12). Excess Spoil Pile #1 received 79,627 Tons of material from 2006 – 2007, but none in 2008. There was no sampling of waste placed in Excess Spoil Pile #1 in 2006 or 2007. The remaining capacity in Excess Disposal Area #1 was not stated.

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APPENDIX A

Certified Reports

Excess Spoil Piles
Refuse Piles
Impoundments

As required under R645-301-514

CONTENTS

APPENDIX B

Reporting of Technical Data

Including monitoring data, reports, maps, and other information
As required under the approved plan or as required by the Division

In accordance with the requirement of R645-310-130 and R645-301-140

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APPENDIX C

Legal Financial, Compliance and Related Information

Annual Report of Officers
As submitted to the Utah Department of Commerce

Other change in ownership and control information
As required under R645-301-110

CONTENTS

APPENDIX D

Mine Maps

As required under R645-302-525-270

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APPENDIX E

Other Information

In accordance with the requirements of R645-301 and R645-302

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