

TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

July 19, 2010

TO: Internal File

THRU: Steve Christensen, Team Lead *SKC*

FROM: Joseph C. Helfrich, Environmental Scientist III, Biology *JCH*

RE: Midterm Review 2010, Sunnyside Cogeneration Association, Sunnyside Refuse and Slurry, Permit C/007/0035, Task ID #WG3547

SUMMARY:

The current mining permit C/007/035 for Sunnyside Refuse and Slurry was issued February 4, 2008 and expires February 4, 2013. This memo will include a midterm review of the Biology section of the current permit with the emphasis on the U. S. Fish and Wildlife Windy Gap process as noted in item #2 of the Midterm review.

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TECHNICAL ANALYSIS:

OPERATION PLAN

FISH AND WILDLIFE INFORMATION

Regulatory Reference: 30 CFR Sec. 784.21, 817.97; R645-301-322, -301-333, -301-342, -301-358.

Analysis:

Endangered and Threatened Species

Volumes of water consumed in mining processes in excess of 100-acre feet/year require mitigation with the U. S. Fish and Wildlife Service. Water consumption for the cogeneration facility is approximately 34.1-acre feet/year as noted in the MRP and personal conversation with Rusty Netz on July 19, 2010. Mr. Netz indicated that the 34.1 acre feet per year figure was an accurate estimate although slightly higher than the actual consumption estimate for 2010. The water consumption is derived from several sources, fugitive dust control, sediment pond evaporation, and the East slurry cell evaporation. This information can be found in Chapter 7 Section 728.310 pages 700-10 and 700-11 of the MRP. Section 728 is the PHC document for the facility.

Findings:

The information in the MRP is adequate to meet the requirements of this section of the regulations, the Mid-term review and the requirements of the Endangered Species Act.

RECOMMENDATIONS:

The application is recommended for approval.