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# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

BRIAN C. STEED  
Executive Director

### Division of Oil, Gas and Mining

JOHN R. BAZA  
Division Director

July 22, 2020

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

Subject: Completion of Midterm Review, Sunnyside Cogeneration Associates, Sunnyside Refuse, C/007/0035, Task #6149

Dear Mr. Hascall:

On June 9, 2020, Sunnyside Cogen was informed that the Division of Oil, Gas and Mining (the Division) had commenced a midterm permit review for the Sunnyside Refuse.

The midterm review has now been completed and will now be closed; however, the Division has identified deficiencies that must be addressed. The deficiencies have been included with this letter (See Attached). The name of the author for each of the respective deficiencies has been provided.

Your response to these deficiencies will need to be submitted as an amendment to your MRP and will be processed as a separate task. Please submit the required amendment with the accompanying C1 and C2 forms by no later than August 21, 2020.

If you have any questions regarding these requirements or the Midterm Review process, please don't hesitate to call me at 801-538-5350.

Sincerely,

Steve Christensen  
Coal Program Manager

SKC/sqs  
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## Technical Analysis and Findings

### Utah Coal Regulatory Program

**PID:** C0070035  
**TaskID:** 6149  
**Mine Name:** SUNNYSIDE REFUSE & SLURRY  
**Title:** MIDTERM PERMIT REVIEW

### General Contents

#### Identification of Interest

*Analysis:*

The midterm meets the R645 review for the permit Midterm.

In May of 2020 the owners and operators listed in the MRP were updated. Information in Chapter 1 of the MRP appears current.

adaniels

### Environmental Resource Information

#### Maps Vegetation Reference Area

*Analysis:*

The application meets the State of Utah R645-301-323 requirements for Vegetation Reference Area Maps. The location and boundaries of the two vegetation reference areas can be found on Sheet 3-3 of the MRP.

tmiller

### Operation Plan

#### Topsoil and Subsoil

*Analysis:*

The mining and reclamation plan does not meet the State of Utah R645 requirements for Soils: Operation Plan.

Appendix 2-9 Appendix B map is missing from the Mining and Reclamation Plan.

Topsoil piles are shown on Plate 5-1, Surface Facilities. Quantities of stockpiled topsoil are listed in MRP Section 234. Soil borrow areas are identified on Plate 5-1 and Plate 2-1. Borrow area volumes are outlined in Section 224. The borrow area soil characteristics are provided in Appendix 2-9 and summarized in Section 244. The following statement on page 200-5, may not prove to be true: "SAR should not be considered limiting for this project." Reported SAR values of 10.4 and 11 at the Industrial Borrow Area 1 are high and could result in poor vegetation establishment. Appendix B of Appendix 2-9 is missing the map showing the locations of the samples tested for soil chemistry.

Distribution of borrow area soils is shown on Plate 10-6. Section 230 summarizes test plot information.

*Deficiencies Details:*

The application does not meet the State of Utah R645 requirements for Clear and Concise. The following deficiency must be addressed prior to final approval:

R645-301-122, Please provide a copy of the map in Appendix B of Appendix 2-9 to complete the Division's copy of the Mining and Reclamation Plan.

pburton

## Hydrologic Impoundments

*Analysis:*

The midterm review of the MRP does not meet the State of Utah R645 requirements for Hydrologic Impoundments.

During the midterm site inspection on July 15, 2020, the sedimentation ponds were inspected. While inspecting the Pasture Pond, questions arose regarding an existing 18" culvert and rip-rap inlet ditch show on Plate 7-9. The Permittee should evaluate the pond drawings and establish if there are updates necessary to the drawing in the MRP. While looking through the MRP, Plate 7-1G, Pasture Pond Upper Drainage, is included in the Chapter 7 Table of Contents but the drawing could not be found in the MRP. The Pasture Pond Upper Drainage is included in Plate 7-1F labeled in the Table of Contents as the Borrow Area Pond Drainage.

*Deficiencies Details:*

The midterm review of the MRP does not meet the State of Utah R645 requirements for Hydrologic Impoundments. The following deficiency must be address prior to final approval:

R645-301-733 The Permittee must re-evaluate the pond drawing for the Pasture Pond. Specifically the existence of the 18" culvert and rip-rap inlet ditch as shown on Plate 7-9. The Permittee must also update the table of contents to remove Plate 7-1G and include an updated description of Plate 7-1F to include both the Borrow and Pasture Pond Upper Drainage.

khinton

## Reclamation Plan

### Topsoil and Subsoil

*Analysis:*

The mining and reclamation meets the State of Utah R645 requirements for Soils: Reclamation.

Section 9.6.5 (p. 900-12) describes reclamation of Excess Spoil #2. There are three phases to the Excess Spoil Pile #2 shown on Plate 9-8E. Phase 1 was reclaimed in 2011 with four feet of cover and seeded in December 2011 and again in the Fall of 2012. Phase 2 was reclaimed in the Fall of 2019 with four feet of cover.

Plate 8-4 shows area reclaimed in 2011 which is the Excess Spoil pile Phase 1 area. Plate 8-4 shows remaining area and cover depth required. The Plate provides borrow material quantities required and acreage in the legend. Since this plate was created, the Permittee completed contemporaneous reclamation on Phase 2 of Excess Spoil Pile #2 in 2019.

pburton

## Revegetation General Requirements

*Analysis:*

The application meets the State of Utah R645-301-356 requirements for Revegetation General Requirements. The site contains two reference areas as outlined on Sheet 3-3: a pinyon-juniper/sagebrush area and an atriplex/grass area. Both of these areas were observed during the midterm inspection and no notable offsite impacts were observed. The sites appeared representative of their intended vegetative type. However, due to the lack of field markings and/or GPS points in the MRP, it was difficult to ascertain exactly where the boundaries of the reference areas were. Therefore, the Division recommends to the Permittee that markings be placed in the field (either one in each corner or one in the center

## **Bonding Determination of Amount**

### *Analysis:*

The application does not meet the State of Utah R645 requirements for Determination of Bonding Amount.

The application does not satisfy the requirements of R645-301-830 because the current reclamation bond on file lacks escalation to 2025, the date of the next Midterm permit review. Table 8-1 in Chapter 8 of the Mining and Reclamation Plan states that the reclamation bond currently amounts to \$1,529,000. Applying the 2020 escalation factor of 2.95% to the current bond increases that amount by \$239,000 to \$1,768,000.

The current posted bond on file with the Division amounts to \$1,775,000. The Division is not requesting that the Permittee post additional bond because the current posted bond on file amounts to \$1,775,000, which exceeds the escalated reclamation bond amount by \$7,000. The Permittee must adjust the bond summary in Table 8-1 of Chapter 8 to reflect the application of a 5-yr inflation factor of 2.95% to 2025.

### *Deficiencies Details:*

The application does not meet the State of Utah R645 requirements for Determination of Bonding Amount. The following deficiency must be addressed prior to final approval:

R645-301-830: The Permittee must adjust the bond summary in Table 8-1 of Chapter 8 to reflect the application of a 5-yr inflation factor of 2.95% out to 2025.