

0005

C/007/042 Incoming



Sunnyside Cogeneration Associates

#3496
OK

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

February 22, 2010

Daron Haddock
Division of Oil Gas and Mining
1594 W North Temple, Suite 1210
Salt Lake City, UT 84116

RECEIVED
FEB 25 2010
DIV. OF OIL, GAS & MINING

RE: Star Point Waste Fuel - Permit # C/007/042
Permit Amendment - Change in Post Mining Land Use
Task #3361

Dear Daron:

As you are aware, SCA has been working with ConocoPhillips over the past few years to assist them in utilizing a gas lease that they received from the BLM on a portion of federal property within the mining permit area. SCA submitted a permit amendment in 2009 and received comments from the division staff. In response to the comments received, SCA is submitting this updated permit amendment (five copies each).

This amendment is to change the post mining land use (PMLU) to industrial in a portion of the permit area and for the access corridor and drainage area directly above it. Coupled with the change in PMLU, SCA is changing the reclamation plan for the industrial area to scrape coal materials from the area so that it can be used for the intended gas operations.

Upon DOGM approval of this amendment, SCA will commission the reclamation and request bond release. SCA is submitting a separate permit amendment to adjust the permit boundary such that most of the proposed industrial area would be outside the permit area.

If you have any questions, please call Scott Carlson (801) 450-3511 or Rusty Netz (435) 888-4476.

Thank You,

Richard Carter
Agent For
Sunnyside Cogeneration Associates

cc: Steve Gross
Maggie Estrada
Paul Shepard
William Rossiter
Rusty Netz
Plant File

File in: C/007/042 2010 Incoming
Refer to:
 Confidential
 Shelf
 Expandable
Date: 02/22/10 For additional information

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change New Permit Renewal Exploration Bond Release Transfer

Permittee: Sunnyside Cogeneration Associates

Mine: Star Point Waste Fuel

Permit Number:

C/007/042

Title: Post Mining Land Use and Reveg Plan

Description, Include reason for application and timing required to implement:

A portion of the permit area is to be used for a gas well. This change will modify the PMLU and revegetation plan for that area

Instructions: If you answer yes to any of the first eight 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?
- Yes No 24. Does the application include confidential information and is it clearly marked and separated in the plan?

Please attach three (3) review copies of the application. If the mine is on or adjacent to Forest Service land please submit four (4) 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.

Richard Carter

Plant Manager

2/18/10

[Signature]
Signature (Right-click above choose certify then have notary sign below)

Print Name

Position

Date

Signature (Right-click above choose certify then have notary sign below)

Subscribed and sworn to before me this 18th day of February, 2010

Notary Public: Jody Hansen, state of Utah.

My commission Expires: Dec. 3rd 2011

Commission Number: 571930

Address: 1 Power Plant P.O. Box 159

City: Sunnyside

State: UT

Zip: 84539



For Office Use Only:

Assigned Tracking Number:

Received by Oil, Gas & Mining

RECEIVED

FEB 25 2010

DIV. OF OIL, GAS & MINING

Public Notice

Notice is hereby given as required by the Utah Coal Mining Rules, R645-300-121 that Sunnyside Cogeneration Associates (SCA), P.O. Box 159, Sunnyside UT 84539, has filed an application to modify the post mining land use (PMLU) approximately 13 acres of the existing mining permit disturbed area. Approval of this application will allow SCA to change its reclamation plan on the designated portion of land to allow for industrial uses after mining is completed under the provisions of the Utah Coal Mining and Reclamation Act and the Utah R645 Coal Mining Rules.

The existing permit area is comprised of 153 acres and is located at Wattis, Utah. The entire property is located within lands described as:

S $\frac{1}{2}$ of S $\frac{1}{2}$ Section 10, T 15 S, R 8 E, SLB&M.
NW $\frac{1}{4}$ of SW $\frac{1}{4}$ Section 10, T 15 S, R 8 E, SLB&M.
NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 15, T 15 S, R 8 E, SLB&M.
N $\frac{1}{2}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 15, T 15 S, R 8 E, SLB&M.
N $\frac{1}{2}$ of N $\frac{1}{2}$ of S $\frac{1}{2}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 15, T 15 S, R 8 E, SLB&M.
NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 15, T 15 S, R 8 E, SLB&M.

Changes to the proposed permit area occur within lands described as:

S $\frac{1}{2}$ of SW $\frac{1}{4}$ Section 10, T 15 S, R 8 E, SLB&M.
NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 15, T 15 S, R 8 E, SLB&M.
N $\frac{1}{2}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 15, T 15 S, R 8 E, SLB&M.
N $\frac{1}{2}$ of N $\frac{1}{2}$ of S $\frac{1}{2}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 15, T 15 S, R 8 E, SLB&M.

Detailed maps of the proposed change are included as Exhibits to the application.

Copies of the permit will be available for inspection at the:

Utah Division of Gas and Mining
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84114

Written comments, objections or requests or an informal conference regarding this application must be submitted with 30 days of the last publication date of this notice, to the Utah Division of Oil, Gas and Mining, Attention Coal Regulatory Program, 1594 West North Temple, Suite 1210, Salt Lake City, Utah 84114-5801

Published in the Sun Advocate: Dates: