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OGMCOAL - Affidavit of Publication - Star Point Waste Fuel

From: Kevin Lundmark
To: OGMCOAL
Date: 5/3/2010 5:00 PM
Subject: Affidavit of Publication - Star Point Waste Fuel
Attachments: Sun Advocate Published PMLU.pdf

>>> "S Scott Carlson" <scarlson@twinpeakseng.com> 5/3/2010 1:19 PM >>>

Kevin,

To assist you with your review, I have attached a copy of the certification of publishing at the Sun Advocate for the following:

Public Notice 4 weeks

Sunnyside Cogeneration - Star Point Waste Fuel - C\007\042

Change Application - Post Mining Land Use

DOGM Task #3496

Given that the last published date was April 15, 2010, do you have a projection regarding when the Division will be able to finalize the permit change approval?

S Scott Carlson, PE, PLS

Twin Peaks PC

2264 North 1450 East

Lehi UT 84043

(801) 450-3511

From: S Scott Carlson [mailto:scarlson@twinpeakseng.com]
Sent: Tuesday, March 23, 2010 1:48 PM

To: 'Kevin Lundmark'; 'Rusty Netz'
Cc: 'Jim Smith'; 'OGMCOAL@utah.gov'
Subject: RE: Public notices for change in postmining land use & change in permit area

Kevin,

We have made modifications to the public notice document following the suggestions on your email.

I have attached a copy of the revised document for your final review.

S Scott Carlson, PE, PLS

Twin Peaks PC

1880 North 800 East

Lehi UT 84043

(801) 450-3511

From: Kevin Lundmark [mailto:kevinlundmark@utah.gov]
Sent: Thursday, March 18, 2010 5:41 PM
To: Rusty Netz
Cc: scarlson@twinpeakseng.com; Jim Smith; OGMCOAL@utah.gov
Subject: Public notices for change in postmining land use & change in permit area

Rusty,

To follow up on our call this afternoon, here are comments on the public notices for the amendments submitted for change in postmining land use & change in permit area.

Change in Postmining Land Use (Task 3496)

The Public Notice which was submitted with the application package for change in postmining land use (Task 3496) requires a minor modification. This notice is approved for publication after the following change is made. A letter documenting the administrative completeness of the change in postmining land use is being finalized and will be sent to you shortly.

About halfway down, change the line "Changes to the proposed permit area occur within lands described as:" to "Changes to the **postmining** land use occur within lands described as:"

Permit Area Reduction (Task 3495)

Since our call I confirmed that the Change in Permit Area (Task 3495) will require a Phase 3 Bond Release in order to remove liability associated with the area where usage is being transferred to ConocoPhillips. The public notice for the reduction in permit area and Phase 3 Bond release should **not** be published until the area is

reclaimed (coal fines removed). Prior to publication, the Public Notice will require modification to meet the requirements of R645-301-880.120, including:

- Permit number
- Approval date
- Type and amount of bond filed and portion sought released
- Type and dates of reclamation work performed and results achieved

I can review the public notices once corrected and prior to publication. Please contact me at 801 538 5352 with any questions.

Thank you,
Kevin

Kevin Lundmark
Environmental Scientist II
Division of Oil, Gas & Mining
kevinlundmark@utah.gov
(801)538-5352

AFFIDAVIT OF PUBLICATION

STATE OF UTAH)

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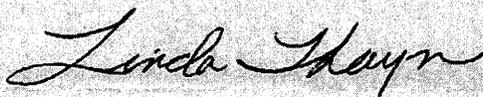
County of Carbon,)

I, Richard Shaw, on oath, say that I am the Publisher of the Sun Advocate, a twice-weekly newspaper of general circulation, published at Price, State a true copy of which is hereto attached, was published in the full issue of such newspaper for 4 (Four) consecutive issues, and the first publication was on the 25th day of March, 2010, and that the last publication of such notice was in the issue of such newspaper dated the 15th day of April 2010.



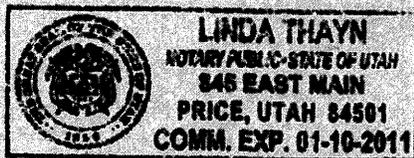
Richard Shaw – Publisher

Subscribed and sworn to before me this 15th day of April, 2010.



Notary Public My commission expires January 10, 2011 Residing at Price, Utah

Publication fee, \$ 532.48



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) for approximately 13 acres of the existing mining permit disturbed area (Permit # C\007\042 Star Point Waste Fuel). 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 permit area is located within lands described as:

- S½ of S½ Section 10, T 15 S, R 8 E, SLB&M.
- NW¼ of SW¼ Section 10, T 15 S, R 8 E, SLB&M.
- NE¼ of NW¼ of NW¼ Section 15, T 15 S, R 8 E, SLB&M.
- N½ of NE¼ of NW¼ Section 15, T 15 S, R 8 E, SLB&M.
- N½ of N½ of S½ of NE¼ of NW¼ Section 15, T 15 S, R 8 E, SLB&M.
- NW¼ of NW¼ of NE¼ Section 15, T 15 S, R 8 E, SLB&M.

Changes to the post mining land use occur within lands described as:

- S½ of SW¼ Section 10, T 15 S, R 8 E, SLB&M.
- NE¼ of NW¼ of NW¼ Section 15, T 15 S, R 8 E, SLB&M.
- N½ of NE¼ of NW¼ Section 15, T 15 S, R 8 E, SLB&M.
- N½ of N½ of S½ of NE¼ of NW¼ 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 Oil, Gas and Mining
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84114

And

Carbon County Court House
120 East Main Street
Price UT 84501

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 March 25, April 1, 8 and 15, 2010.