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TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

July 26, 2011

TO: Internal File

NOA

THRU: Daron Haddock, Permit Supervisor, Coal Regulatory Program Manager

FROM: Ingrid Campbell, Lead *IC*

RE: Midterm Review Completion Response, Sunnyside Cogeneration Associates, Star Point Waste Fuel, Permit #C/007/0042 and Task #3871

SUMMARY:

The Division completed the midterm review for the Star Point Waste Fuel site on May 19, 2011. Several deficiencies were identified and a deficiency letter was sent to Sunnyside Cogeneration Associates (SCA). In July, 2011, the Division received the Midterm Review Completion Response from SCA. The response included updated endangered and threatened species lists, an updated seed mix and an updated bond calculation.

This application is recommended for approval.

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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

SCA update the “current list of Utah’s Federally Listed Threatened, Endangered, and Candidate Species for Carbon County” located on page 300-15 of the Mining and Reclamation Plan (MRP). The changes include removing *Penstemon grahamii*, *haliaeetus leucocephalus*, *Coccyzus americanus*, and *Strix occidentalis lucida* from the list and adding *Centrocercus urophasianus*, and *Canis lupus*. Several changes were made to table 322.210b to update statuses of species, and to add newly listed species. No federally endangered, threatened or Candidate species or species of concern or other Utah listing status can be found on the permit area according to table 322.210b.

Findings:

The information provided is considered adequate to meet the minimum regulatory requirements for this section.

RECLAMATION PLAN

REVEGETATION

Regulatory Reference: 30 CFR Sec. 785.18, 817.111, 817.113, 817.114, 817.116; R645-301-244, -301-353, -301-354, -301-355, -301-356, -302-280, -302-281, -302-282, -302-283, -302-284.

Analysis:

Revegetation: General Requirements

Due to availability of seed, SCA made some changes to the Disturbed Area Revegetation Seed mix found on page 300-33 table 341.210a and to the Interim Seed mix on table 341.210b. In the Disturbed Area seed mix, *Purshia tridentate* was substituted for *Purshia Mexicana* and *Artemesia ludociviana* was substituted for *Artemesia frigida*. These are both suitable alternatives and will suffice as replacements.

In the Interim seed mix, *Melilotus officinalis*, *Medicago sativa*, *Astragalus cicer* and *Penstamon palmeri* were substituted for *Achillea lanulosa* and *Hedysarum boreale*. Also, *Agropyron desertorum* and *thinopyrum intermedium* were substituted for *Agropyron smithii*, *agropyron trachycalum* and *Agropyron dasystachum*. These are all suitable alternatives for Interim soil stabilization. The new grasses are hardy and capable of quickly controlling erosion.

Findings:

The information provided meets the minimum regulatory requirements for this section.

RECOMMENDATIONS:

This application is recommended for approval.