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# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

### Division of Oil, Gas and Mining

JOHN R. BAZA  
Division Director

Outgoing  
C0070042  
# 3814  
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May 19, 2011

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

Subject: Completion of Midterm Review, Task ID #3814, Sunnyside Cogeneration Associates, Star Point Waste Fuel, Permit C/007/0042

Dear Mr. Carter:

On April 19, 2011, Sunnyside Cogeneration Associates was informed that the Division of Oil, Gas and Mining (the Division) had commenced a midterm permit review for the Star Point Waste Fuel site. The following items were reviewed:

- A. Review of the Plan to ensure that the requirements of all permit condition, division orders, notice of violation (NOV), abatement plans, and permittee-initiated Plan changes approved subsequent to permit approval or renewal (whichever is the most recent) are appropriately incorporated into the Plan document.
- B. Ensure that the Plan has been updated to reflect changes in the Utah Coal Regulatory Program which have occurred subsequent to permit approval or renewal.
- C. Review applicable portions of the permit to ensure that the Plan contains commitments for application of the best technology currently available (BTCA) to prevent additional contributions of suspended solids to stream flows outside of the permit area.
- D. Evaluate the compliance status of the permit to ensure that all unabated enforcement actions comport with current regulations for abatement; verify the status of all finalized penalties levied subsequent to permit issuance or permit renewal, and verify that there are no demonstrated patterns of violation (POV). This will include an AVS check to ensure that Ownership and Control information is current and correct.
- E. Evaluate the reclamation bond to ensure that coverage adequately addresses permit changes approved subsequent to permit approval or renewal, and to ensure that the bond amount is appropriately escalated in current-year dollars.



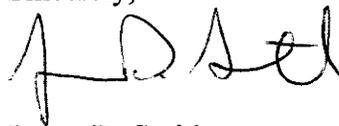
- F. Evaluate the permit for compliance with variances or special permit conditions.
- G. Optional for active mines, mandatory for reclamation only sites: conduct a technical site visit in conjunction with the assigned compliance inspector to document the status and effectiveness for operational, reclamation, and contemporaneous reclamation practices undertaken on predetermined portions of the disturbed area to minimize, to the extent practicable, the contribution of acid or toxic materials to surface or groundwater, and to otherwise prevent water pollution.

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 June 20, 2011.

If you have any questions regarding these requirements or the Midterm Review process, please don't hesitate to call me at 801-538-5262 or Kevin Lundmark at 801-538-5352.

Sincerely,



James D. Smith  
Permit Supervisor

JDS/KWL/sqs  
cc: Price Field Office  
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**STAR POINT WASTE FUEL MIDTERM PERMIT REVIEW**  
**Task #3814**  
**Deficiency List**

Team Review Members:

April Abate (AA)  
Priscilla Burton (PB)  
Ingrid Campbell (IC)  
Kevin Lundmark (KL)  
Angela Nance (AN)  
James Owen (JO)

**R645-301-322.210 (IC)** Please update tables 322.210a & b to provide a current list of Threatened, endangered and candidate species and their potential to occur in the permit area.

**R645-301-830.140 and R645-301-830.300 (JO)** In accordance with the requirements of the Utah Coal Mining Rules, the Permittee must provide updated information in terms of "detailed estimated cost, with supporting calculations for the estimates, submitted by the permit applicant". The Permittee must update the bonding calculations and associated spreadsheets within Exhibit 830.100a of the MRP. Requirements include updated unit costs to 2011 dollars for each line item within the bonding calculation spreadsheets, updated direct and indirect costs, updated escalation years (5), updated escalation factor (1.7%), and updated escalation cost totals in 2016 dollars. The Division requests that the spreadsheets within Exhibit 830.100a be updated and submitted to the Division in hard and soft copy forms for further review.