

Sunnyside Cogeneration Associates

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

C/007/042 Incoming
CC: Joe H.
James #4596

May 23, 2014

RECEIVED

MAY 29 2014

DIV. OF OIL, GAS & MINING

Daron Haddock
Division of Oil, Gas & Mining
1594 W. North Temple, Suite 1210
Salt Lake City, Utah 84116

RE: Sunnyside Cogeneration Associates
Regarding Notice of Violation #10139
Star Point Waste Fuel C/007/042

Dear Mr. Haddock:

Please find enclosed three copies of SCA's amendment regarding a Notice of Violation (NOV) which was issued on May 2, 2014. The NOV was a result of a Division inspection on April 30, 2014. The citation was written due to SCA's failure to properly maintain a diversion ditch; ditch No. #7G.

The on-site repairs to the diversion ditch have been completed and the ditch was inspected by Karl Houskeeper of DOGM. The amendment application includes C1/C2 forms, updated Maps 731.720a and 731.720b, a copy of citation #10139 and a copy of Karl Houskeeper's follow-up inspection report.

The Division can find all diversion and culvert designs, calculations and narratives in Chapter 7 of SCA's approved permit. Tables 742a, 724b, 724c and 724d are very helpful when reviewing the updated maps.

We would like to ask the Division to consider "Good Faith Points" when determining SCA's penalty for citation #10139. Please consider SCA's rapid compliance in resolving the issue with the damaged diversion ditch.

Please approve and incorporate maps 731.720a and 731.720b, into SCA's MRP and mail a stamped copy back to SCA. If you have any questions or if further clarification is needed please contact Rusty Netz or myself at (435) 888-4476.

Thank You,

A handwritten signature in cursive script, appearing to read "Gerald Hascall".

Gerald Hascall
Agent for
Sunnyside Cogeneration Associates

cc. Rusty Netz
Plant File

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change New Permit Renewal Exploration Bond Release Transfer

Permittee: Sunnyside Cogeneration Associates

Mine: Star Point Waste Fuel

Permit

C/007/042

Number:

Title: Responding to NOV # 10139

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

Updated drawings pertaining to a recent NOV #10139

Instructions: If you answer yes to any of the first eight (gray) 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 # 10139
- 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?

Please attach four ³ review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) 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.

Gerald Hascall
Print Name

Gerald Hascall Plant Manager 5/27/2014
Sign Name, Position, Date

Subscribed and sworn to before me this 27th day of May, 2014

Jody Hansen
Notary Public

My commission Expires: December 23rd 2015

Attest: State of Utah } ss:
County of Carbon



For Office Use Only:	Assigned Tracking Number:	Received by Oil, Gas & Mining RECEIVED MAY 29 2014 DIV. OF OIL, GAS & MINING
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Form DOGM- C1 (Revised March 12, 2002)



Citation for Non-Compliance
Utah Coal Regulatory Program
 1594 West North Temple, Salt Lake City, UT 84114
 Phone: (801) 538-5340 Fax: (801) 359-3940

Citation #: 10139

Permit Number: C0070042

Date Issued: 05/02/2014

NOTICE OF VIOLATION

CESSATION ORDER (CO)

FAILURE TO ABATE CO

Permittee Name: SUNNYSIDE COGENERATION ASSOCIATES

Inspector Number and ID: 62 JOWEN

Mine Name: STAR POINT REFUSE

Date and Time of Inspection: 04/30/2014 11:00 am

Certified Return Receipt Number: 7012 3460 0002 9559 5925

Date and Time of Service: 05/02/2014 10:30 am

Nature of condition, practice, or violation:

The Permittee failed to construct and maintain a proper diversion around its refuse pile. Runoff drainage from above the pile was being directed onto and across the refuse pile.

Provisions of Act, regulations, or permit violated:

R645-301.746.212

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This order requires Cessation of ALL mining activities. (Check box if appropriate.)

Condition, practice, or violation is creating an imminent danger to health or safety of the public.

Permittee is/has been conducting mining activities without a Permit.

Condition, practice, or violation is causing or can reasonably be expected to cause significant, imminent environmental harm to land, air, or water resources.

Permittee has failed to abate Violation(s) included in Notice of Violation or Cessation Order within time for abatement originally fixed or subsequently extended.

This order requires Cessation of PORTION(S) of mining activities.

Mining activities to be ceased immediately: Yes No

Abatement Times (if applicable).

Action(s) required: Yes No

The Permittee will need to construct and maintain a proper diversion around the refuse pile as soon as possible. The diversion will need to be properly designed according to the requirements of R645-301.746.212. The hydrology section of the Mining and Reclamation Plan (MRP) will need to be amended to include changes that result from adding the diversion. The MRP amendment should include appropriate changes to designs, maps and narratives. Hydrology maps 731.720a and 731.720b need to be updated to include the new diversion, represent the current hydrology on site, and to more clearly depict the names and locations of all ditches, diversions, and culverts.

Rusty Netz

(Print) Permittee Representative

JAMES OWEN

(Print) DOGM Representative

Permittee Representative's Signature - Date

DOGM Representative's Signature - Date

SEE REVERSE SIDE Of This Form For Instructions And Additional Information

[Print](#)[Close](#)

SPWF Diversion (NOV)

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MAY 29 2014

From: **Karl Houskeeper** (karlhouskeeper@utah.gov)

Sent: Tue 5/13/14 3:02 PM

To: James Owen (jamesowen@utah.gov); Daron Haddock (DARONHADDOCK@utah.gov); Steve Christensen (stevechristensen@utah.gov); Rusty Netz (rusnetz@hotmail.com); Joe Helfrich (JOEHELFRICH@utah.gov)

5 attachments

DSC00797.JPG (145.1 KB) , DSC00798.JPG (151.0 KB) , DSC00799.JPG (150.2 KB) ,
DSC00800.JPG (148.2 KB) , DSC00801.JPG (150.5 KB)

Gentlemen,

Please find attached photos taken at Star Point Refuse today during my inspection. The on the ground work is completed. From review of maps and tables at the Operators office it appears that the information is available in the MRP with the exception that maps in 2010 were turned in that didn't have all of the required layers turned on ie Diversion and culvert labels. The 2004 map still in SPWF permit has these labels which made OSM happy. The Division map and SPWF map dated 2010 (731.720b) was never stamped incorporated, hence this is why the operator retained the 2004 version. Long story short the operator plans on submitting new maps of 731.720a and 731.720b with the appropriate layers turned on.

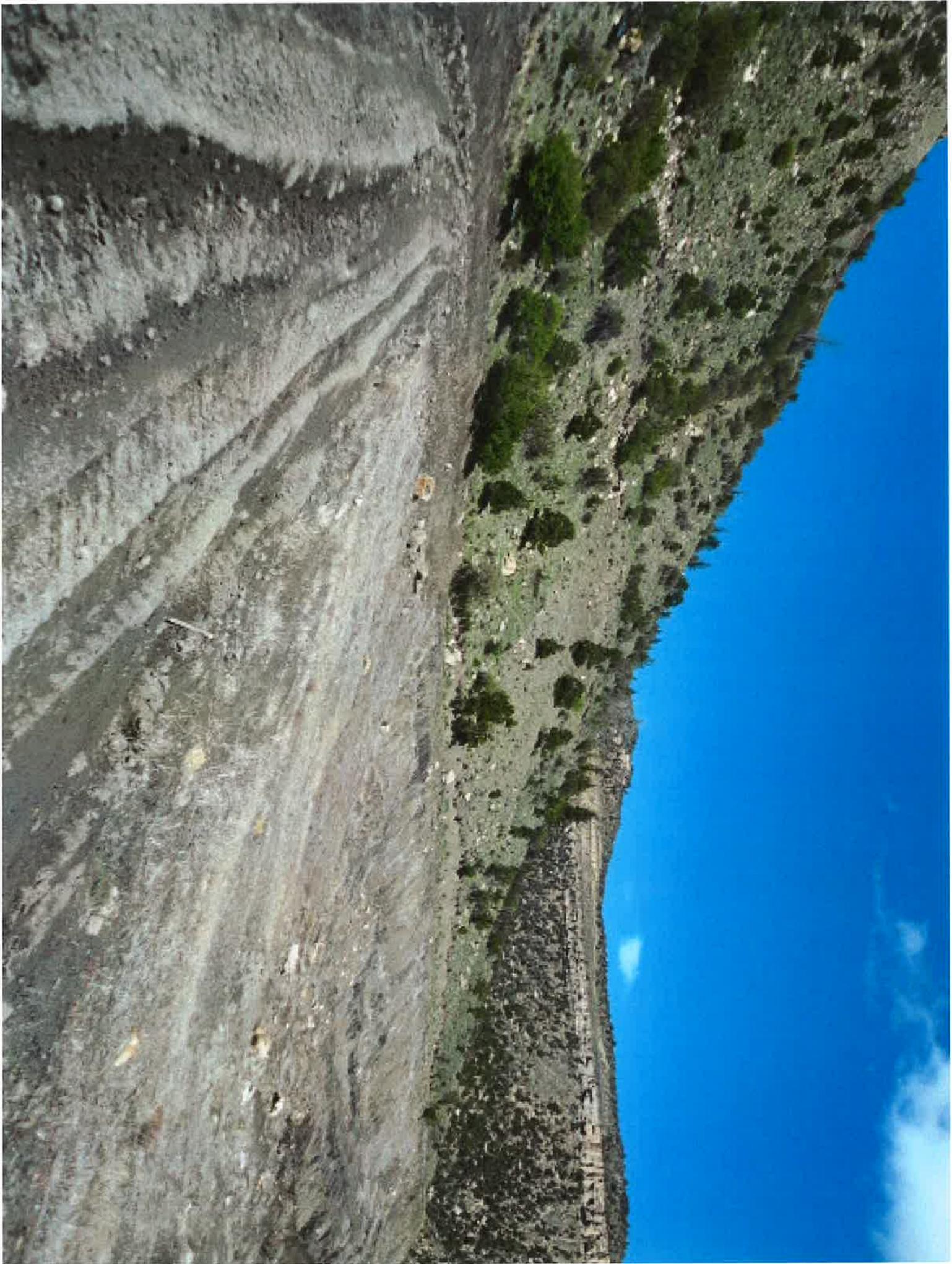
In addition I believe that they are going to request good faith points for rapid compliance, so I have included Joe in on this email.

Thanks,
Karl

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Karl R. Houskeeper
Environmental Scientist III
Division of Oil, Gas and Mining
319 North Carbonville Road, Suite C
Price, Utah 84501
Phone: (435) 613-3730
Fax: (435) 613-3739
Email: karlhouskeeper@utah.gov



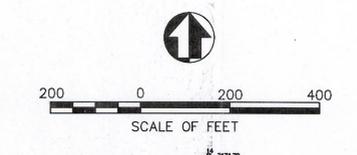
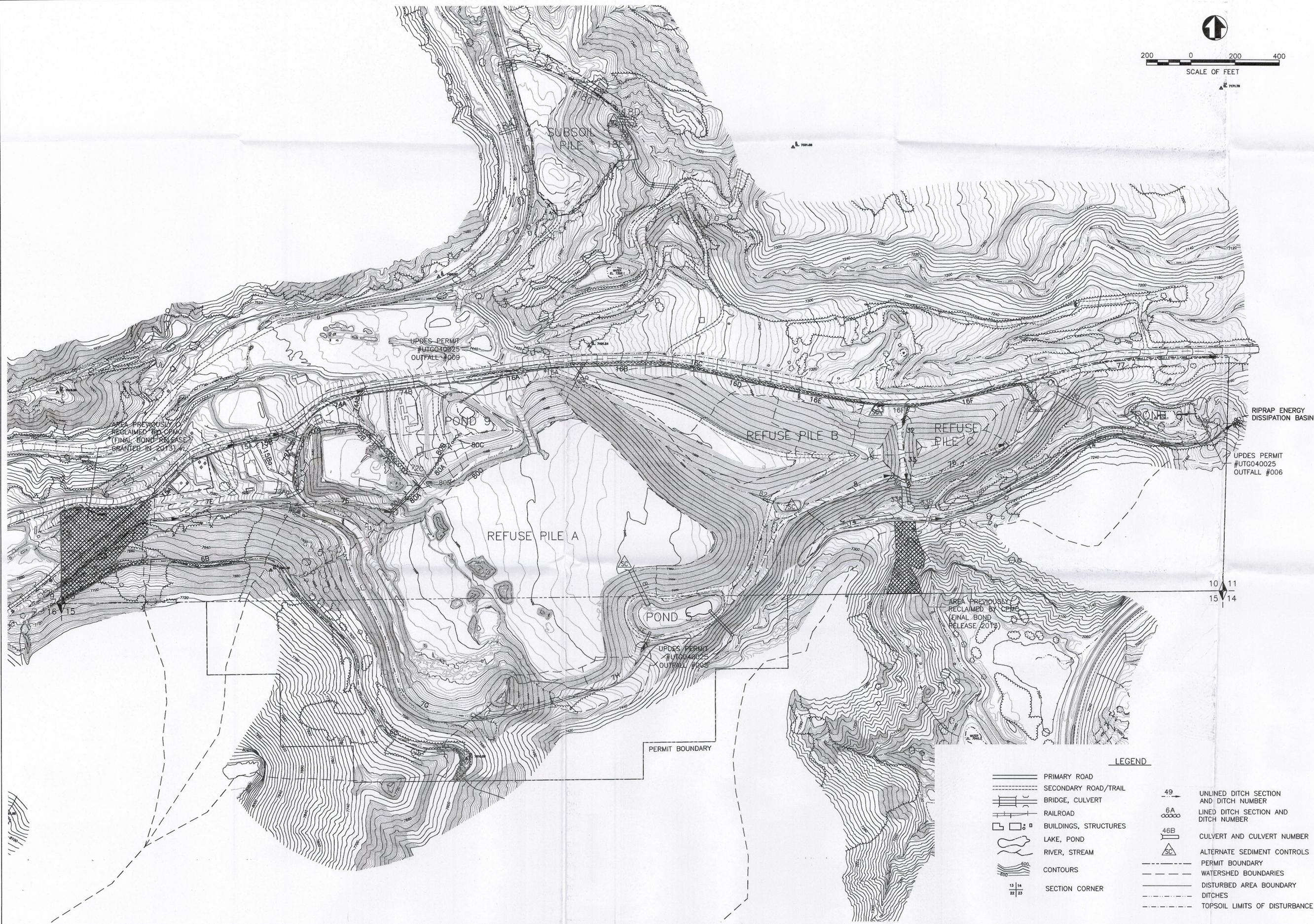








UTAH DIVISION OF OIL, GAS & MINING



SCA / STAR POINT WASTE FUEL
REFUSE PILE SURFACE WATER
DRAINAGES AND DIVERSIONS

TWIN PEAKS
Engineering & Land Surveying
2284 NORTH 1450 EAST LEHI, UTAH 84043
(801) 450-3511, (801) 439-0700 FAX

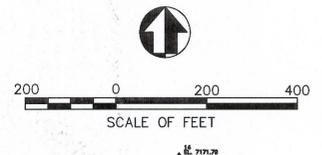
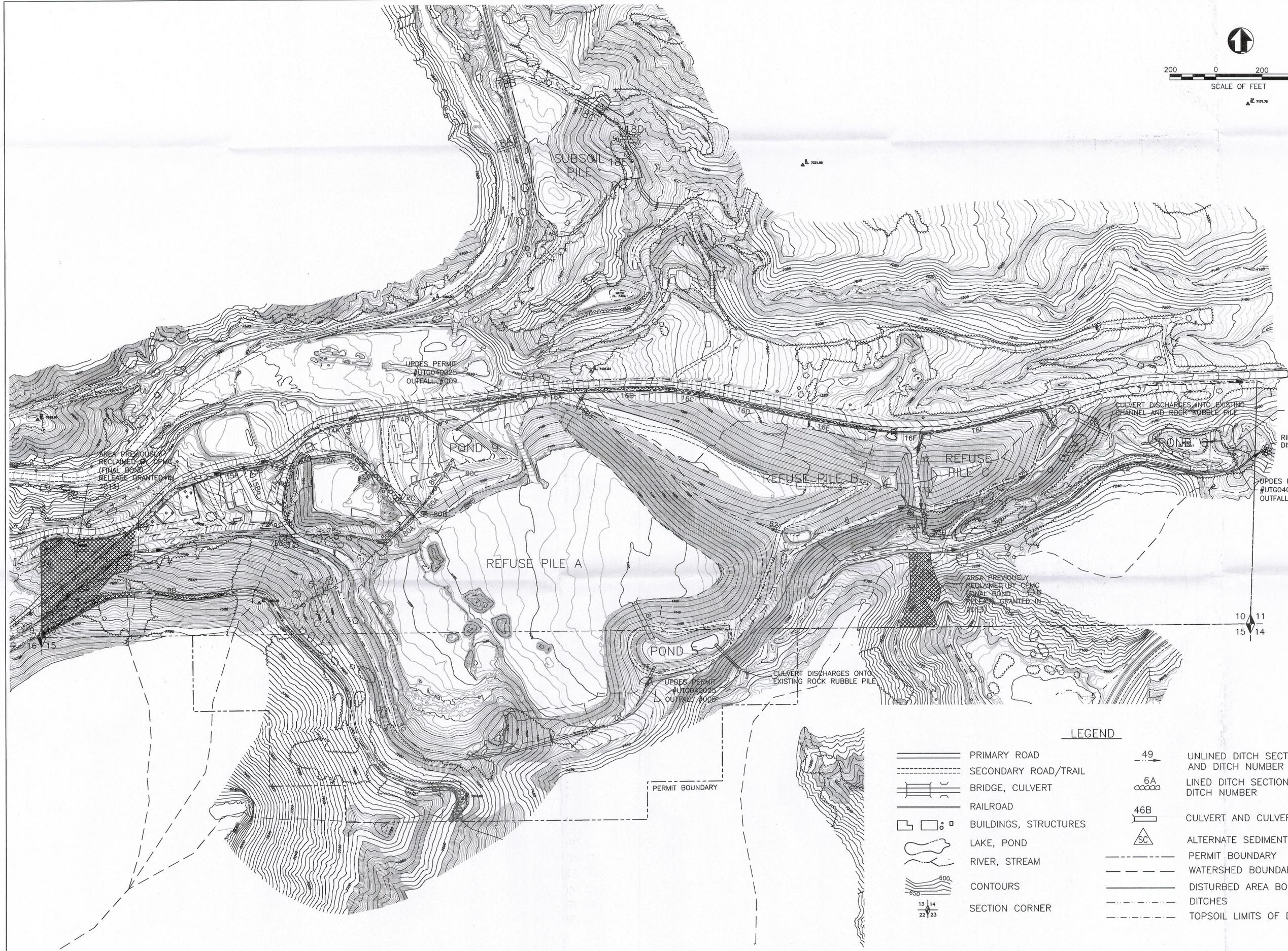
DWG DATE: MAY 2014
PLOT DATE: 21 May 2014

SHEET

731.720a

LEGEND	
	PRIMARY ROAD
	SECONDARY ROAD/TRAIL
	BRIDGE, CULVERT
	RAILROAD
	BUILDINGS, STRUCTURES
	LAKE, POND
	RIVER, STREAM
	CONTOURS
	SECTION CORNER
	49 UNLINED DITCH SECTION AND DITCH NUMBER
	6A LINED DITCH SECTION AND DITCH NUMBER
	46B CULVERT AND CULVERT NUMBER
	SC ALTERNATE SEDIMENT CONTROLS
	PERMIT BOUNDARY
	WATERSHED BOUNDARIES
	DISTURBED AREA BOUNDARY
	DITCHES
	TOPSOIL LIMITS OF DISTURBANCE

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SCA / STAR POINT WASTE FUEL
REFUSE PILE SURFACE WATER
CULVERTS

TWIN PEAKS
Engineering & Land Surveying
2264 NORTH 1450 EAST LEHI, UTAH 84043
(801) 450-3511, (801) 439-0700 FAX

DWG DATE: MAY 2014
PLOT DATE: 21 May 2014

SHEET

731.720b

LEGEND

	PRIMARY ROAD		UNLINED DITCH SECTION AND DITCH NUMBER
	SECONDARY ROAD/TRAIL		LINED DITCH SECTION AND DITCH NUMBER
	BRIDGE, CULVERT		CULVERT AND CULVERT NUMBER
	RAILROAD		ALTERNATE SEDIMENT CONTROLS
	BUILDINGS, STRUCTURES		PERMIT BOUNDARY
	LAKE, POND		WATERSHED BOUNDARIES
	RIVER, STREAM		DISTURBED AREA BOUNDARY
	CONTOURS		DITCHES
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