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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

May 10, 2016

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

Subject: Completion of Mid-Term Review, Task ID #5090, Sunnyside Cogeneration Associates, Star Point Refuse, C/007/0042

Dear Mr. Hascall:

On March 1, 2016, Sunnyside Cogeneration Associates was informed that the Division of Oil, Gas and Mining had commenced a midterm permit review for the Star Point Refuse.

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 10, 2016.

If you have any questions regarding these requirements or the Midterm Review process, please don't hesitate to call me at 801-538-5350.

Sincerely,

Steve Christensen
Permit Supervisor

SKC/sqs

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Technical Analysis and Findings

Utah Coal Regulatory Program

PID: C0070042
TaskID: 5090
Mine Name: STAR POINT REFUSE
Title: MIDTERM PERMIT REVIEW

Environmental Resource Information

Fish and Wildlife Resource Information

Deficiencies Details:

The permit does not meet R645 requirements for Fish & Wildlife information. The following deficiency must be addressed prior to final approval: (R645-301-322)

1. The Permittee must update the Threatened, Endangered, Candidate, and State Sensitive Species resource information in the M&RP, section 3, page 300-14 and table 322.210. (lists are provided by the Division and attached to this review)
2. Update Section 322.200 to include Greater Sage-grouse.
3. Update Section 322.200 to include resource information for high-interest birds (starting on page 300-22) Western Yellow-Billed Cuckoo and Ferruginous Hawk. Resource information is provided in the analysis of this section.
4. Update Section 322.200, Aquatic Resources (page 300-25) to include a narrative on annual depletion rates and in compliance with the Colorado Fish Recover Program. If depletions exceed 100AF annual, the Permittee must identify actions taken to meet the requirements of the Recovery Program. (See attached Co Fish FWS Protocol for more information).

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Reclamation Plan

Bonding Determination of Amount

Deficiencies Details:

R645-301-830, and -301-830.140: The Permittee will submit line item updated Totals, Demo, Earth, and Reveg using 2016 cost reference.

R645-601-830.140 The Permittee must provide updated information for estimated bonding costs with supporting calculations for the estimates. This includes updated unit costs (to be used to update bond calculation spreadsheets) and updated escalation factors. Updates should be provided using the 2016 data from R.S. Means Heavy Construction Cost data manual and the Caterpillar Handbook or other appropriate resources. The bond summary and corresponding bond calculation sheet in the MRP need to be updated and appropriately escalated to 2021 dollars using Division's approved 0.7% and 5 year escalation.

R645-301-830, and -301-830.140: The Permittee will submit a Diversion Ditch itemized sheet to Demo showing all

information for all ditches such as; length, cross section, area, lined/unlined, and lining material as well as cost to reclaim. Demo volumes need to be calculated and shown.

R645-301-830 and -301-830.140: The Permittee will submit an earthwork sheet specific to identify topsoil/subsoil from Subsoil Pile, including volumes of soil being used from Subsoil Pile for reclamation, if any, and/or other soil needed for reclamation.

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