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007/035 Incoming

#3655

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Sunnyside Cogeneration Associates

P.O. Box 159, Sunnyside, UT 84539
(435) 888-4476 · (435) 888-2538

October 12, 2010

File in:

Confidential

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Date Folder *10/14/2010* *0070035*

See *Incoming* For additional information

Division of Oil Gas and Mining
Attn. James D Smith
1594 West North Temple, Suite 1210
PO Box 145801
Salt Lake City, UT 84114-5801

RE: Midterm Permit Review, Sunnyside Cogeneration Associates, Sunnyside
Refuse/Slurry, C007/0035, Task 3547

Dear Mr. Smith:

Sunnyside Cogeneration Associates ("SCA") has reviewed your letter dated August 4, 2010 and the attached deficiencies related to your Midterm Permit Review for the Sunnyside Refuse / Slurry MRP. We have reviewed with you the proposed resolution to each of the deficiencies and are submitting the enclosed permit amendment to address these issues.

In summary, the deficiencies are addressed as follows:

- Review item #2 (AA) – The review document requests additional detail regarding the environmental monitoring that SCA has committed to perform during a Temporary Cessation. SCA has added text to the MRP committing to sample and test for acid/toxic forming materials prior to final reclamation. (See text page 700-15.)
- Review item #5 (PH) – SCA has worked with Mr. Hess to update the bond calculations. (See Tables 8-1 and 8-2.)
- Review item #3 (KL) – The review document refers to use of the best technology currently available (BTCA) in relation to contributions of suspended solids to stream flows outside the permit area. SCA has added a commitment related to its use of BTCA. (See text page 700-20)
- Review Item #6 (KL) – In relation to Alternative Sediment Controls (ASC's) SCA has reviewed the MRP text, Plate 7-1 and Appendix 7-7 and made updates as necessary to

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correlate the documents and identify the ASC's currently in place at the site. (See text page 700-21 and Plate 7-1.)

- Review Item #4 (AN) – The review document outlines several out of date items from AVS check. SCA is submitting Chapter 1 segments with the current Ownership and Control information (this was recently submitted and approved for SCA's Star Point Waste Fuel site). This will allow DOGM to update their AVS documentation. (See Chapter 1 text and Figure 1-7.)

The review document also listed questions on the following:

Savage Services Corporation ("Savage"). Savage is a contractor for SCA and does not own or control SCA. The individuals listed are employees of Savage, not SCA, and should be removed from the AVS database.

Sunnyside II, L.P. Sunnyside II, L.P. is a limited partnership whose partners are Sunnyside II, Inc. and Sunnyside III, Inc. Sunnyside II, L.P. does not have separate officers or directors. The information on Sunnyside II, L.P.'s partners is provided in Figure 1-7.

Sunnyside Generation, LLC. Sunnyside Generation, LLC is a limited liability company with two members, CP Sunnyside I, Inc. and Colmac Sunnyside, Inc. Sunnyside Generation, LLC does not have separate officers or directors. The information on Sunnyside Generation, LLC's partners is provided in Figure 1-7.

McDermott International, Inc.

McDermott, Inc.

Babcock and Wilcox Investment Co.

Babcock and Wilcox Co.

Babcock and Wilcox Equity Investment, Inc.

Northern States Power Co.

NRG Energy, Inc.

The companies listed above previously owned SCA, but sold their interests in SCA to the current entities on August 31, 1999. These companies should be removed from the AVS database.

COSI, ACI and Constellation Energy Co. SCA contracts with several companies and individuals to provide different services for SCA. Individuals at COSI, ACI and Constellation Energy Co. provide some of these services through various contracts.

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SCA Sunnyside Refuse/Slurry
Midterm Permit Review – Response
October 12, 2010
Page 3 of 3

We have enclosed five copies of the drawings, tables, figures and text pages for your review. We expect that these items will address each of the deficiencies outlined in the Midterm Permit Review document. We look forward to receiving your approval of this amendment. If you have any questions, please feel free to call Rusty Netz or myself at (435) 888-4476.

Thank You,

A handwritten signature in black ink, appearing to read "Richard Carter". The signature is fluid and cursive, with a large initial "R" and "C".

Richard Carter
Agent for
Sunnyside Cogeneration Associates

Enclosures

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APPLICATION FOR COAL PERMIT PROCESSING

Permit Change [X] New Permit [] Renewal [] Exploration [] Bond Release [] Transfer []

Permittee: Sunnyside Cogeneration Associates

Mine: Sunnyside Refuse and Slurry

Permit Number:

C/007/035

Title: Midterm Permit Review updates

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

Address permit deficiency items outlined by DOGM at Mid-Term Permit Review

Instructions: If you answer yes to any of the first eight questions, this application may require Public Notice publication.

- 1. Change in the size of the Permit Area? Acres: _____ Disturbed Area: _____ [] increase [] decrease.
2. Is the application submitted as a result of a Division Order? DO# _____
3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?
4. Does the application include operations in hydrologic basins other than as currently approved?
5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?
6. Does the application require or include public notice publication?
7. Does the application require or include ownership, control, right-of-entry, or compliance information?
8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
9. Is the application submitted as a result of a Violation? NOV # _____
10. Is the application submitted as a result of other laws or regulations or policies? Explain: _____
11. Does the application affect the surface landowner or change the post mining land use?
12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)
13. Does the application require or include collection and reporting of any baseline information?
14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
15. Does the application require or include soil removal, storage or placement?
16. Does the application require or include vegetation monitoring, removal or revegetation activities?
17. Does the application require or include construction, modification, or removal of surface facilities?
18. Does the application require or include water monitoring, sediment or drainage control measures?
19. Does the application require or include certified designs, maps or calculation?
20. Does the application require or include subsidence control or monitoring?
21. Have reclamation costs for bonding been provided?
22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?
23. Does the application affect permits issued by other agencies or permits issued to other entities?
24. Does the application include confidential information and is it clearly marked and separated in the plan?

Please attach three (3) review copies of the application. If the mine is on or adjacent to Forest Service land please submit four (4) 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.

Print Name: RICHARD CARTER

Position

Date: 10/13/10

Signature (Right-click above choose certify then have notary sign below)

Subscribed and sworn to before me this _____ day of _____, _____

Notary Public: _____, state of Utah.

My commission Expires: _____
Commission Number: _____ } ss:
Address: _____ }
City: _____ State: _____ Zip: _____ }

For Office Use Only:

Assigned Tracking Number:

Received by Oil, Gas & Mining

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R645-301-100 (GENERAL CONTENTS)

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PLATES

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**CHAPTER ONE
100 GENERAL CONTENTS**

112 IDENTIFICATION OF INTERESTS

112.100 Statement as to Type of Entity

The Applicant, Sunnyside Cogeneration Associates ("SCA"), is a Utah joint venture between Sunnyside Holdings I, Inc. and Sunnyside II, L.P. Information regarding these entities and other parent or controlling corporations is described in the sections that follow.

112.210 Information Regarding the Applicant

Additional information regarding the applicant may be obtained by contacting:

Local
Sunnyside Cogeneration Associates
Attn: Plant Manager
P.O. Box 159
Sunnyside, Utah 84539
EIN: 84-1027564
Phone: (435) 888-4476

Plant Engineer
Attn: Rusty Netz
One Power Plant Road, Sunnyside, UT 84539
P.O. Box 159
Sunnyside UT 84539
Phone: (435) 888-4476
Fax: (435) 888-2538

Deleted: 10
Deleted: East Carbon
Deleted: 20

Utah Counsel
Brian W. Burnett, Esq.
Callister Nebeker & McCullough
10 East South Temple
Salt Lake City, UT 84133
Phone: (801) 530-7300

Environmental Manager
Maggie I. Estrada,
95 Enterprise, Suite 300
Aliso Viejo CA 92656
Phone: (949) 425-4755
fax: (949) 852-1720

General Manager
Kendall Reed
RR2 Box 56, Highway 3016
Clarion, PA 16214
Phone: (814) 226-8001
Fax: (814) 226-7909

Deleted: . . . Attn: Ramiro
Garcia . . . Kendall Reed
Deleted: COSI
Deleted: ACI

112.220 Information Regarding the Resident Agent:

Sunnyside Cogeneration Associates
Attn: Richard Carter, Plant Manager
P.O. Box 159, Sunnyside UT 84539 (mailing address)
One Power Plant Road, Sunnyside, UT 84539 (street address)
Phone: (435) 888-4476
EIN: 84-1027564

Deleted: Mike Blakey

112.230 Information Regarding Abandoned Mine Land Reclamation Fee:

On July 27, 1994 the Office of Surface Mining found that the waste material located within the SCA Permit Area has no value and is not subject to reclamation fees. Correspondence relating to this matter is included in Appendix 1-1. OSM-1 to be filed.

112.300-330 Information Regarding "Owners" and "Controllers":

The Applicant, SCA, is a Utah joint venture. SCA holds the contracts, property, and permits for the project in its name. Because the joint venture is essentially a partnership between Sunnyside Holdings I, Inc. and Sunnyside II, L.P., SCA has no corporate information of its own. Therefore, the information required under regulation 112.300- 330 is provided for the joint venture partners, Sunnyside Holdings I, Inc. and Sunnyside II, L.P., and their parent or controlling corporations.

The information relevant to Sunnyside II, L.P. traces to the parentage of CP Sunnyside I, Inc, and the information relevant to Sunnyside Holdings I, Inc. traces to the parentage of Colmac Sunnyside, Inc. Figure 1-7 identifies the corporate organization chart and the corporate directors and officers of the parent companies to SCA. SCA contracts with several companies and individuals to provide services at the facility. The officers and directors of the entities identified in Figure 1-7 determine the manner in which SCA conducts coal mining and reclamation operations.

112.340-420 Further Information Regarding Owners and Controllers

Neither Sunnyside II, L.P., nor Sunnyside Holdings I, Inc., nor their owners or controllers, has owned or controlled a coal mining and reclamation operation in the United States within five years preceding the date of this application, nor do they have any interest in any pending coal mine operation permit applications, except for the following:

C/007/042 Star Point Waste Fuel, Wattis Utah.

112.500 Surface and Mineral Property

There are no legal or equitable owner of the surface or mineral property to be mined other than the Applicant. Additionally, there are no leasehold interest nor any purchasers of record under a real estate contract for the property to be mined except for the following:

Sunnyside Properties LLC., Utah limited liability company, holds fee title to a portion of SCA's permit property. SCA has a long term lease for this portion of the permit property.

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- Deleted: Daniel L. Haught [24]
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- Deleted: Stephen B Gross . . ¶ ... [26]
- Deleted: Dan R. Skowronski
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112.600 Contiguous Property

The name and address of each owner of record of all property (surface and subsurface) contiguous to any part of the proposed permit area:

U.S. Department of the Interior
Bureau of Land Management
Utah State Offices
324 South State Street
Salt Lake City, UT 84101

Utah Reverse Exchange LLC
28311 North Main St Ste B-200
Daphne, Alabama 36526

Headwaters Incorporated
10653 South Riverfront Plaza Ste 300
South Jordan UT 84095

Historical Properties, Inc.
207 Montgomery
Suite 215
Montgomery, AL 36104

East Carbon City
East Main St.
East Carbon, UT 84520

Covol Technologies, INC.
11778 South Election Rd.
Suite 210
Draper, Utah 84020

Sunnyside Properties, L.L.C.
One Power Plant Road
PO Box 139
Sunnyside, UT 84539

Water Canyon Holdings, LLC
6301 Monroe Street
Daphne AL 36526

- Deleted:** Penta Creeks, L.L.C.
- Deleted:** Magnificant 7, L.L.C.
- Deleted:** 140 South Newton Street
- Deleted:** 140 South Newton Street
- Deleted:** Albert Lea, MN 56007
- Deleted:** Albert Lea, MN
- Deleted:** 56007

Deleted: Sunnyside Land, L.L.C.
c/o Penrod Keith, Esq.
LeBOEUF LAMB GREENE & MacRAE
1000 Kearns Building
136 South Main St.
Salt Lake City, UT 84101
(Attorneys for the Chapter 7 Trustee)

112.700 MSHA Numbers

The MSHA numbers for all mine-associated structures that require MSHA approval:

Coarse Refuse Pile	1211-UT-09-02093-01
Excess Spoil Disposal Area #1	1211-UT-09-02093-04
Excess Spoil Disposal Area #2	1211-UT-09-02093-05

Deleted: East Slurry Cell 1211-UT-09-02093-02

112.800 Applicants Interest in Contiguous Lands

Applicant holds a lease contiguous to the SCA Permit Area; specifically, SCA holds a lease on the 72.5 acres (directly north of the SCA Permit Area) upon which the cogeneration power plant is located. The area covered by SCA's leasehold interest is shown as "Lease Area" on Plate 1-1. In addition, SCA leases land from the City of East Carbon to the west of the Permit Area.

113 VIOLATION INFORMATION

113.100-250 Suspensions and Revocations

Neither the Applicant, nor any of its subsidiaries, affiliates, or persons controlled by or under common control with the Applicant 1) has had a federal or state mining permit suspended or revoked in the last five years, or 2) has forfeited a mining bond or similar security deposited in lieu of bond. Figure 1-4 includes documentation of recent OSM recommendations from the Applicant Violator System (AVS).

113.300 Violations and Unabated Cessation Orders

Sunnyside Cogeneration Associates received no notices of violation from the Utah Division of Oil, Gas and Mining (DOG M) within the three year period prior to the application for Permit Renewal. Information regarding these violations is described below:

There have been no any unabated cessation orders or unabated air and water quality violation notices received by any coal mining and reclamation operation owned or controlled by either the Applicant or by any person who owns or controls the Applicant.

113.310 Violation Information

None

114 RIGHT-OF-ENTRY INFORMATION

114.100 Description of Legal Documents

Sunnyside Fuel Corporation (a predecessor-in-interest to SCA) obtained fee title to the SCA Permit Area (and thus the legal right to enter and begin activities) pursuant to a Deed, Assignment, and Bill of Sale between Kaiser Fuel Corporation (a predecessor-in-interest to the prior permittee Sunnyside Coal Company) as Grantor, and Sunnyside Fuel Corporation, as Grantee, dated December 28, 1987, recorded December 29, 1987 at Book 277 of Record, Pages 679-690 at Carbon County, Utah. Sunnyside Fuel Corporation transferred its rights under the Deed, Assignment and Bill of Sale to the Applicant on or about April 1, 1991. Applicant's right-of-entry is not the subject of any pending litigation. The legal description of the lands affected (*i.e.*, the SCA Permit Area) is set forth above at R645-303-322.

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114.200-230 Private Mineral Estate

These sections do not apply because the private mineral estate has not been severed from the private surface estate.

115 STATUS OF UNSUITABILITY CLAIMS

115.100 Unsuitable Areas

The SCA Permit Area is not within an area designated unsuitable for coal mining and reclamation operations or is within an area under study for designation in an administrative proceeding under R645-103-300, R645-103-400, or 30 CFR Part 769.

115.200 Exemptions

This section is not applicable because Applicant does not claim the exemption described in R645-103-333.

115.300 Public Roads

This section does not apply because Applicant does not propose to conduct coal mining and reclamation operations within three hundred feet of an occupied dwelling or within 100 feet of a public road.

116 PERMIT TERM

116.100 Start and Termination Dates

A waste disposal facility, which will comprise a portion of a coal mine waste fired electric power plant, is located adjacent to the SCA Permit Area and has been operational since 1993. Figure 1-6 includes documentation of recent permit term approvals. The refuse pile located in the SCA Permit Area is being reclaimed over an approximate 30-year period by burning it in the adjacent facility.

116.200-220 Term in Excess of Five Years

These sections do not apply because Applicant does not require an initial permit term in excess of five years in order to obtain necessary financing for equipment and the opening of the operation.

117 INSURANCE

117.100 Liability Insurance

A copy of the certificate of liability insurance is attached at Figure 1-1 hereto.

117.200 Proof of Publication

A newspaper advertisement, Figure 1-2, has been published in the "Sun Advocate", "The Salt Lake Tribune" and "The Deseret News" for four (4) weeks following the determination of completeness. Proof of publication of the newspaper advertisements is given in Figure 1-3.

117.300 Shared Facilities

This Section does not apply because there are no plans of a facility or structure that is to be shared by two or more separately permitted coal mining and reclamation operations.

118 APPLICATION FEE

The required filing fee of \$5.00 was submitted with the original Permit Application.

123 VERIFICATION

The required verification statement is included in Figure 1-5.

130 REPORTING OF TECHNICAL DATA

SCA, in the preparation of this permit document, has compiled and relied on data and maps from previous permit applications and previously approved permits for the Sunnyside Coal Company's (SCC) mines. Information regarding preparers can be found in the SCC Permit document. Any additional studies, which SCA has performed, include preparers name, methods, and other information.

140 MAPS AND PLANS

Maps submitted herewith are presented in a consolidated format, to the extent possible, and include the types of information that are set forth on U.S. Geological Survey of the 1:24,000 scale series. The maps of adjacent areas will clearly show the lands and waters within those areas and are at the scale determined by DOGM. The maps and cross-sections associated with this Permit are listed in the General Table of Contents.

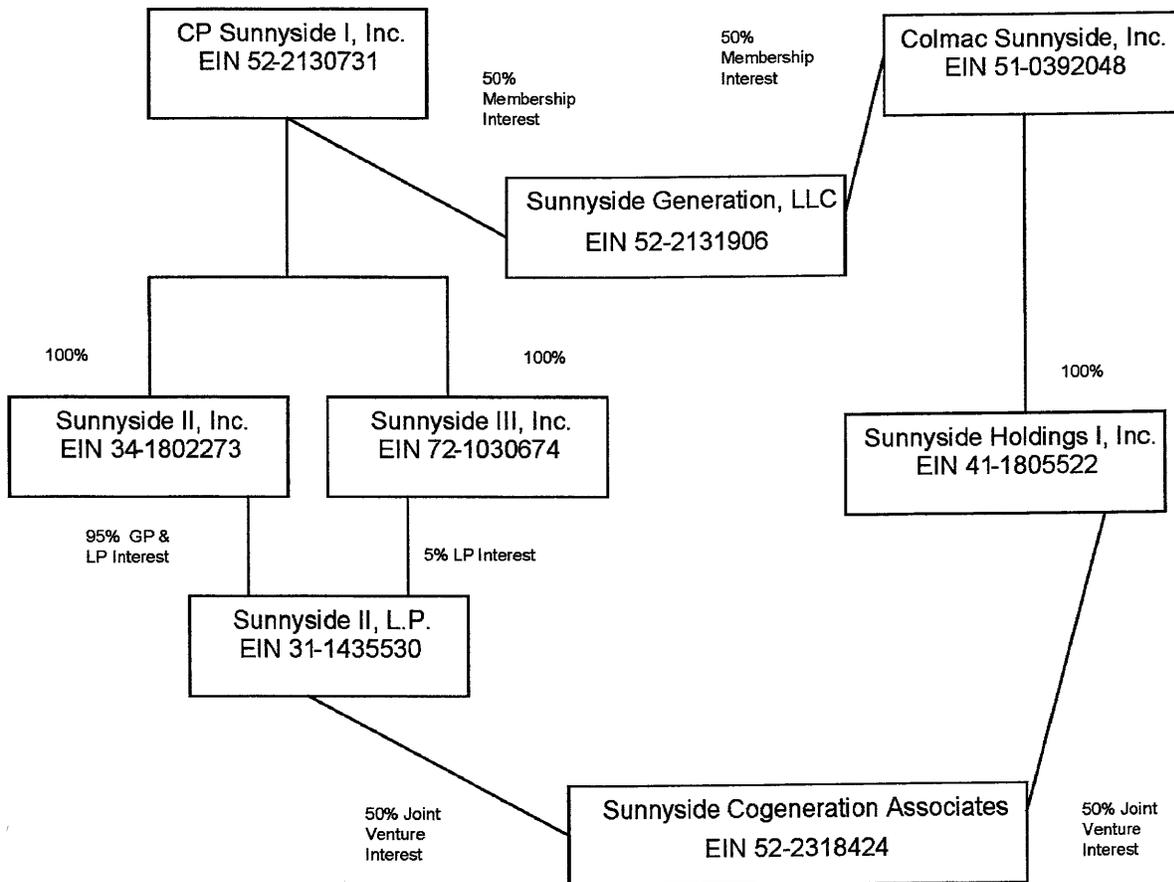
150 COMPLETENESS

This Permit Application contains the information required by R645-301; R645-302 is not applicable.

Figure 1-7
Information Regarding "Owners" and "Controllers"

**Sunnyside Cogeneration Associates
 Exhibit 112.300
 Information Regarding "Owners" and "Controllers"
 Permit No. C/007/035**

Sunnyside Organization Chart



CP Sunnyside I, Inc:

Directors: John T. Long
Steven B. Gross

Officers: John T. Long Senior Vice President CGG
President CPG

Stephen B. Gross Vice President

Paul Shepard Vice President

Steven L. Miller Secretary

Daniel L. Haught Treasurer

The address for the officers and directors is 111 Market Place, Suite 200, Baltimore, Maryland 21202. CP Sunnyside Inc. is the Managing Member of Sunnyside Generation, LLC. Paul Shepard started as Vice President on March 19, 2007.

Sunnyside II, Inc. & Sunnyside III, Inc.:

Directors: John T. Long
Stephen B. Gross

Officers: John T. Long Senior Vice President CGG
President CPG

Stephen B. Gross Vice President

Paul Shepard Vice President

Charles Berardesco Secretary

Steven L. Miller Assistant Secretary

Daniel L. Haught Treasurer

The address for the officers and directors is 111 Market Place, Suite 200, Baltimore, Maryland 21202. Andrew Kidd was Secretary from December 31, 2007 to December 31, 2008. Charles Berardesco was Assistant Secretary from December 31, 2007 to December 31, 2008, and became Secretary on December 31, 2008. Steven L. Miller was Secretary from May 1, 2003 to December 31, 2007, and became Assistant Secretary on December 31, 2008.

Sunnyside II, L.P.:

Because Sunnyside II, L.P. is a limited partnership comprised of Sunnyside II, Inc. and Sunnyside II, Inc., Sunnyside II, L.P. has no corporate information of its own.

Colmac Sunnyside, Inc.:

Directors: Willis S. McLeese
Chris L. Thompson
William Langan

Officers: Willis S. McLeese Chairman and CEO
Chris L. Thompson President
Robert S. McLeese Secretary and CFO

The address for the officers and directors is 103 Springer Building, 3411 Silverside Road, Wilmington, DE 19810. The Directors' and Officers' start date was August 31, 1999. Gilbert Warren was replaced as a Director on June 29, 2004, by Mary Alice Avery. William Langan replaced Mary Alice Avery as a Director on June 29, 2007. Chris L. Thompson replaced Greg Lawyer as a Director and President on July 15, 2009. Colmac Sunnyside, Inc. never had an Assistant Secretary position.

Sunnyside Holdings I, Inc.

Directors: Willis S. McLeese
Chris L. Thompson

Officers: Willis S. McLeese Chairman and CEO
Chris L. Thompson President
Robert S. McLeese Secretary and CFO

The address for the officers and directors is 103 Springer Building, 3411 Silverside Road, Wilmington, DE 19810. The Directors' and Officers' start date was August 31, 1999. Chris L. Thompson replaced Greg B. Lawyer as a Director and President on July 15, 2009. Sunnyside Holdings I, Inc. never had an Assistant Secretary position. Robert S. McLeese has been the Secretary and CFO since August 31, 1999.

731.224 thru 731.224.2 Surface Water Monitoring Requirements

Surface water monitoring will continue, as described in Appendix 7-8, through the end of the operations of SCA, and through the reclamation process until the bond release. The monitoring points identified in Appendix 7-8 were analyzed as indicated in Appendix 7-8, Table 7-2B for a period of two years. Now the points are monitored as operational sites according to the list of parameters listed in Table 7-2C. The monitoring plan will always be arranged to meet the requirements of the Division of Water Quality via the UPDES permits.

The monitoring will be conducted to attempt to minimize disturbance to the hydrologic balance, and to achieve the goals of the approved monitoring plan.

731.225 Surface Water Monitoring Equipment and Structures

Equipment, structures and other devices utilized in conjunction with the surface water monitoring program will be properly installed, maintained and operated. The equipment and structures will be removed when no longer needed.

731.300 thru 731.320 Acid and Toxic Forming Materials

Acid and toxic forming potentials are appropriately discussed in section R645-624.220. Prior to final reclamation of the coal refuse pile areas, soil samples will be collected from the ground surface at a frequency of approximately two grab samples per acre across the refuse pile areas (and areas previously covered by refuse). The samples will be composited at a rate of five grab samples per composite sample and will be analyzed to determine presence of potential acid or toxic forming materials. If acid or toxic forming materials are found, four feet of soil cover will be placed over them, or the materials will be treated or moved to the excess spoil area or consolidated within the refuse pile area and covered.

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731.400 Transfer of Wells

Exploration wells or monitoring wells will only be transferred after approval by DOGM and in accordance with the Utah State water laws and regulations. Approval of well transfer will also be required from the State Engineer. There are no wells currently on the SCA Permit Area. There has been significant drilling exploration of the SCA Permit Area. These drill holes will be sealed in a manner appropriate for the environment and for the proposed excavation activities. Figure 7-1 includes documentation concerning SCA's water right to the Dragerton Well.

A monitor well was installed at the toe of the refuse pile in accordance with a Permit from the State Engineer in accordance with the exploratory drilling program detailed in Appendix 6-5. All monitoring inspections, to date, at the well have found it dry.

731.500 thru 731.522 Discharges into and out of Underground Mines

The proposed operations of this Permit Application consist only of excavation of coal mine waste and refuse piles. Therefore this section does not apply.

731.600 thru 731.620 Stream Buffer Zones

All disturbance caused by the proposed operations will be well over 100 feet from any natural stream. Therefore this requirement does not apply.

731.700 Cross Section and Maps

731.710 Water Supply Intakes and Waters Receiving Discharge

All discharges from the SCA Permit Area flow into tributaries of Icelander Creek. This is shown in Plates 7-3 and 7-6. Icelander Creek is not currently used as a culinary or irrigation supply.

731.720 Map Showing Diversions, Conveyance and Treatment Facilities

This requirement does not apply because Icelander Creek is not currently being used for culinary, irrigation, or industrial uses.

731.730 Locations of Monitoring Stations

The locations of the monitoring stations used to gather baseline information on water quality and quantity are shown in Plate 7-2. The locations of UPDES discharge monitoring sites are shown separately on Plate 7-1. These locations are identified in the field with metal posts and labels.

731.740 Map Showing the Locations of Sediment Ponds

The locations of the sedimentation ponds are discussed in section 733 and are shown in Plate 7-1. Plate 5-6 also shows the location of the refuse pile.

731.750 Cross Sections for Each Sediment Pond and Other Impoundments

See Section 732.

731.800 Water Rights

The majority of the rights in the area are held by the municipalities, SCA, and a few land owners. The rights mostly relate to Grassy Trail Creek and discharges from the Grassy Trail Reservoir created by the construction of a dam approximately 5-6 miles up Whitmore Canyon. The operations taking place on the SCA Permit Area do not affect any currently held water right.

732 SEDIMENT CONTROL MEASURES

732.100 Siltation Structures

The existing siltation structures which are a part of the refuse disposal, and proposed refuse excavation activities will be maintained to comply with the requirements of this regulation. Siltation structures that impound water are considered herein as treatment facilities and sedimentation ponds. A discussion of these facilities is set forth in Section 732. Alternate Sediment Controls may be placed as needed to improve erosion control.

732.200 Sedimentation Ponds

732.210 Compliance Requirements

There are seven impounding structures in the SCA Permit Area which are all shown on Plate 7-1. Out of the seven impounding structures, six are sedimentation ponds serving the disturbed portions of the SCA Permit Area. Each sedimentation pond is governed by an UPDES permit which controls water quality discharges. (The East Slurry Pond is not a discharging impoundment, its discharge is captured by another sedimentation basin) Operational requirements of the six sedimentation ponds located in the SCA Permit Area as outlined by this regulation will be met. Detail designs related to the facilities are given in Appendix 7-3.

Below is an outline of various design parameters for the sediment ponds found within the SCA Permit Area.

<u>Pond Description</u>	<u>Reference Plate</u>	<u>Maximum Depth (ft)</u>	<u>Volume (acre-ft)</u>
Coarse Refuse Toe	7-7	9.5	1.6
Rail Cut	7-8	8	4.8
Pasture	7-9	7.5	3.2
Old Coarse Refuse Road	7-10	6.0	0.9
Borrow Area Pond	7-11	9.5	8.3
Coal Pile Sediment Pond	7-18	7	1.5

Topsoil stockpile sediment will be controlled by construction of an alternate sediment control around the perimeter of each stockpile. Detailed calculations for each are found in Appendix 7-7.

732.220 MSHA Requirements

The sedimentation ponds within the SCA Permit Area comply with the MSHA requirements given under R645-301-513.100 and 513.200.

732.300 Diversions

An extensive network of runoff collector ditches has been constructed within the permit area. A layout of these facilities is shown on Plate 7-1. Individual diversion dimensions can be found in Appendix 7-3. The ditches will be maintained to comply with the requirements of this regulation.

There are a few disturbed areas within the permit area that do not report to a sediment pond. Alternate Sediment controls provide water treatment as described in Appendix 7-7.

732.400 Road Drainage

All roads will be constructed, maintained and reconstructed to comply with section 742.400

732.410 Alteration and Relocation of Natural Drainageways

No alterations to existing natural drainageways are planned for the operations in the SCA Permit Area.

732.420 Inlet Protection

Measures to be taken to protect the inlet end of ditch relief culverts (when required) within the SCA Permit Area may include revegetation, installation of riprap, or a drop box inlet. Flows applicable to runoff control ditches are generally small and inlet protection is not required to protect against erosion. If it is found that significant erosion does occur at the inlet to a ditch culvert, the items listed above will be implemented as appropriate. Details for inlet and outlet protection are given in Chapter Five.

733 IMPOUNDMENTS

There are no additional impoundments proposed for the SCA Permit Area. If the need for an additional impoundment is observed, it will be designed and certified according to the requirements of these regulations, and the other regulations within the State of Utah Coal Mining Rules. The plans and certification will then be submitted to DOGM for approval.

734 DISCHARGE STRUCTURES

See Section 744.

735 DISPOSAL OF EXCESS SPOIL

See Chapter Nine, Sections 9.6 through 9.7 and Appendices 9-2 and 9-5..

736 DISPOSAL OF COAL MINE WASTE

See Chapter Nine, Sections 9.6 through 9.7 and Appendices 9-2 and 9-5..

737 NONCOAL MINE WASTE

Non-coal mine waste will be disposed of as discussed further in Chapter Nine, Section 9.6.

738 CASING AND SEALING OF WELLS

For reasons previously discussed, there are no additional groundwater monitoring wells which need casing and sealing during the operations or reclamation activities.

740 DESIGN CRITERIA AND PLANS

741 GENERAL REQUIREMENTS

Site specific plans used for the design and control of surface drainage are discussed in the following sections.

742 SEDIMENT CONTROL MEASURES

See Section 732 for detailed designs of all sediment control structures. The major runoff and sediment control measures in the SCA Permit Area include numerous diversion ditches and several impoundments. Some Alternate Sediment Controls are in-place and maintained to reduce the contribution of sediment to receiving streams, from areas which do not report to an approved impoundment. If additional siltation structures are required, SCA will request approval from the Division prior to installation.

742.220 Sedimentation Ponds

Inspection

All sedimentation ponds will be inspected a minimum of four (4) times per year for structural weakness, erosion, proper function, sediment levels and other hazardous conditions. A written record of findings will be maintained at the SCA cogeneration facility for inspection. Reports of adverse embankment conditions including erosion, structural weakness or other hazardous conditions will be submitted to DOGM within thirty (30) days of the inspection. Hazardous conditions will be reported directly to DOGM immediately after the finding. See the inspection schedule prepared in compliance with R645-301-514.

Sediment Disposal

Sediments removed from the ponds will be disposed in the Excess Spoil Disposal Areas, placed on the refuse pile used as a borrow material, or processed with material burned in the cogeneration plant. If the material is to be used as a borrow material, the material will be tested. SCA will contact DOGM to receive approval of the location and the amount of material to be used.

MSHA REQUIREMENTS

The East Slurry Cell is used as refuse storage and as a surface runoff impoundment. The East Slurry Cell meets or exceeds the size criteria of 30 CFR 77-216(a) of the Mine Safety and Health Administration and has an MSHA ID number. The impoundments will comply with the requirements of this regulation. The MSHA Approved Program for Impoundment Inspections is in Appendix 5-8.

742.230 thru 742.240 Other Treatment Facilities

Sediment from most of the disturbed area within the Permit is controlled by the collector ditches and sedimentation ponds. [SCA is committed to designing, constructing and maintaining appropriate sediment control measures using the best technology currently available to prevent, to the extent possible, additional contributions of sediment to stream flow or to runoff outside the permit area.](#)

Alternate Sediment Controls (ASC), installed at certain locations throughout the permit area are used to reduce the contribution of sediment to the receiving streams. These have been installed and are maintained in accordance with the performance standards outlined in Chapter 5. Plate 7-20 shows details of various ASC's which are being used at locations shown on Plates 7-1 (A-E). It is intended that as site conditions dictate, SCA may switch between different types of ASC's shown on Plate 7-20 to achieve an efficient and cost effective treatment.

Topsoil stockpiles have been revegetated to decrease the erosion potential. Berms were constructed around the perimeter of each topsoil pile to contain sediments during storm runoff events. The calculations used to design the minimum height of a berm are found in Appendix 7-7. These small berms are considered to be alternate sediment control measures, not impoundments.

The following Alternate Sediment Controls are in-place either primary or secondary sediment control:

Alternate Sediment Control

Location

Alternate Sediment Control

Location

Several segments installed 2000	BTCA Area #3 - Across a minor accessway leading to the weir in the northwest area of the Permit Site. Approximately 60 feet southeast of 36-inch CMP under railroad tracks.
30 L.F. installed prior to SCA	Below the outlet of the Coarse Refuse Toe Pond.
40 L.F. installed 1993	Outer southwest bank of the Coarse Refuse Toe Pond.
6 L.F. installed 1995	At the permit boundary crossing the outlet ditch from the Pasture Pond and Coal Pile Sediment Pond
10 L.F. installed 1995	In front of the inlet to the above ground culvert OCRR-C1 which flows to the Old Coarse Refuse Road Sediment Pond
450 L.F. installed 1996	Along the permit boundary north and northwest of the crushing facility to assist in reducing the potential for wind transport of fines.
Surface Roughening - 1994 Five acres +/-	BTCA Area #2 In connection with the final reclamation of the Old Coarse Refuse Road, the surface was roughened by digging small holes or indentions. This is expected to help control sediment by reducing surface runoff while the vegetation is established.
12,000 S.Y. Straw Matting installed in 1994.	BTCA Area #2 In connection with the final reclamation of the Old Coarse Refuse Road, slopes steeper than 2:1 were treated with straw matting. As the matting degraded, vegetation has increased.

Deleted: ¶
Several segments installed 2000

Deleted: Across a road east of the Coarse Refuse Toe Pond

Deleted: BTCA Area #2 - Intermittent segments in the drainages along the toe of the area reclaimed in connection with the final reclamation of the Old Coarse Refuse Road. Silt fences below areas treated with erosion matting will not be maintained. These will be removed when field conditions indicate that they are no longer of significant value.

Deleted: 2100 L.F. installed 1994

Deleted: 30 L.F. installed in 1989

Deleted: BTCA Area #1 Along the Permit boundary northwest of the Excess Spoil Area #2

Deleted: 15 L.F. installed in 1994

Deleted: Seep Flow. Along the Permit boundary, Below the railroad culvert. These are left to deteriorate - not to be removed or replaced.

Deleted: 20+/- L.F. installed in 1995

Deleted: Seep Flow. behind the existing weirs. These are left to deteriorate - not to be removed or replaced.

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CHAPTER EIGHT 800 BONDING AND INSURANCE

820 REQUIREMENT TO FILE BOND

SCA currently has on file with the Division of Oil, Gas and Mining (DOGGM), a bond or bonds for performance made payable to DOGM and conditioned upon the faithful performance of all the requirements of the State Program, the permit and the reclamation plan.

Once reclamation operations have begun, all areas will be protected from further surface disturbance prior to the acceptance by the DOGM. Chapter 9 and Chapter 10 outline full details of the reclamation activities and describe how each area within the SCA Permit Area will be reclaimed. The Interim Reclamation Plan is included in Chapter 9 and the Final Reclamation Plan is included in Chapter 10. Activities mentioned in the reclamation plans have been estimated and included in the total bond amount.

830 DETERMINATION OF BOND AMOUNT

SCA proposes that the amount of the bond be determined as set forth in Table 8-1 Determination of Bond Amount. The total costs shown in Table 8-1 are based on quantities of work as identified on the Permit Term Reclamation drawings (see Plates 8-1 through 8-5). [Current rates](#) were determined using the [2010 rate sheets from local construction companies](#), the Caterpillar Performance handbook, and the [2010 Means Estimating Guides](#) (see Table 8- 2).

The Permit Term Reclamation Plan and supporting cost calculations are to be used by the Division to determine the required performance bond amount as outlined in R645-301-830. Determination of the bond amount has given consideration to such factors as topography, geology, hydrology and revegetation potential. Actual reclamation of the SCA permit area can be based on this reclamation plan in the event of forfeiture of the bond (R645-301-880.900).

PROPOSED PERMIT TERM RECLAMATION SCENARIO

The Permit Term Reclamation Plan is based on a scenario during the [2010-2015](#) Term representing partial removal of the refuse which existed prior to the beginning of mining operations under the direction of SCA. The intended Final Reclamation Plan reflected in Chapter Ten is based on the scenario which would occur following removal of the combustible refuse in the pile. The estimated bond calculations do not anticipate placing four feet of cover over the entire disturbed area (see Plate 8-4 for cover depths corresponding to different portions of the permitted area). Regrading costs estimated to facilitate drainage from the refuse area and remove potential highwalls from the active mining area (Coarse Refuse Pile) included in Table 8-1 are based on the proposed Rough Grading Plan shown on Plate 8-2. Evidence was not found in the program to characterize the refuse pile which indicated significant quantities of precipitate materials as previously suspected by Division personnel. Contaminated underlying soil materials were also not found (see Appendix 6-7).

Large quantities of material are not anticipated to require disposal at certain intermediate stages of operation nor following extraction of combustible fuel materials. Rather, the excess spoil disposal areas

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Deleted: 2001 Blue Book Rental Rate Guide,

Deleted: 2001

Deleted: -2003-2008 Permit

Deleted: East Slurry Cell and

Deleted: October 3, 2002

TABLE 8-1

DETERMINATION OF BOND AMOUNT

DETERMINATION OF BOND AMOUNT - Summary

ITEM	QUANTITY	RATE	COST
Total Crusher Demolition Culvert Removal & Riprap			\$ 130,042
Total Backfill, Grading and support			\$ 784,755
Total Revegetation and Erosion Control			\$ 317,076
Total (Direct Costs)			\$ 1,231,874
Mobilization and Demobilization	10%		\$ 123,187
Contingency	5%		\$ 61,594
Engineering Redesign	2.5%		\$ 30,797
Main Office Expense	6.8%		\$ 83,767
Project Management Fee	2.5%		\$ 30,797
Total (Indirect Costs)	26.8%		\$ 330,142
Total (Direct and Indirect Costs - 2010 dollars)			\$ 1,562,017
Escalation 5 years to Mid Term 2015	5	0.50%	\$ 39,443
Total Reclamation Costs (Escalated)			\$ 1,601,459
Bond Amount Required (Rounded to the nearest \$1,000)			\$ 1,601,000

DETERMINATION OF BOND AMOUNT - Const Mgt, Demolition, Erosion Control

ITEM	QUANTITY	PRODUCTION RATE	HOURS REQUIRED	UNIT COST	COST
Crusher Facilities, Culverts and Riprap Channels					
Demolition of crusher facilities					
Concrete - Crush and bury on site	50 Cubic Yards			\$ 24.02	\$ 1,201
Steel - Disassemble and send for scrap	100 Tons			\$ 33.00	\$ 3,300
Culvert excavation, removal and disposal					
Track Excavator 325 CL (av 1 cy ex per 3 ft culvert)	217 Cubic Yards	15 yd/hr	14.4	\$ 135.00	\$ 1,950
Disposal	650 LF			\$ 3.30	\$ 2,145
Drainage Channel Reconstruction					
Major Channels with riprap and filter bed					
Material cost (means 313713100100) +10%	1,700 Linear Feet	1.76 cy/lf		\$ 27.06	\$ 80,964
Equipment and Labor	2,992 cubic yards	180 yd/hr	16.6	\$ 135.00	\$ 2,244
Minor Channels requiring riprap					
Material cost (means 313713100100) +10%	2,500 Linear Feet	0.55 cy/lf		\$ 27.06	\$ 37,208
Equipment and Labor	1,375 cubic yards	180 yd/hr	7.6	\$ 135.00	\$ 1,031
Total Crusher Demolition Culvert Removal & Riprap					\$ 130,042

DETERMINATION OF BOND AMOUNT - Backfill and Grading

ITEM	QUANTITY	PRODUCTION RATE	HOURS REQUIRED	UNIT COST	COST
Backfilling and Grading					
General site grading: High walls, Refuse Cleanup and Drainage needs					
D-10 R Dozer	200,000 Cubic Yards	1,800 cy/hr	111	\$ 320.00	\$ 35,556
Disturbed area covered with refuse (4' borrow)					
C-631 E Scraper	75.9 Acres	375 cy/hr	1306	\$ 240.00	\$ 313,477
D-10 R Dozer (one dozer to assist loading four scrapers)	489,808 Cubic Yards		327	\$ 320.00	\$ 104,492
Disturbed area w/ 2' existing cover over refuse (2' additional borrow)					
C-631 E Scraper	14.1 Acres	375 cy/hr	121	\$ 240.00	\$ 29,035
D-10 R Dozer (one dozer to assist loading four scrapers)	45,367 Cubic Yards		30	\$ 320.00	\$ 9,678
D-10 R Dozer (spreading on hillside)	45,367 Cubic Yards	375 cy/hr	121	\$ 320.00	\$ 38,713
Disturbed area contaminated by refuse (1.5' borrow)					
C-631 E Scraper	45.2 Acres	375 cy/hr	292	\$ 240.00	\$ 70,068
D-10 R Dozer (one dozer to assist loading four scrapers)	109,481 Cubic Yards		73	\$ 320.00	\$ 23,356
D-10 R Dozer (minor spreading in some hillside areas - 25%)	27,370 Cubic Yards	700 cy/hr	39	\$ 320.00	\$ 12,512
Old Coarse Refuse Road - Bonded Earthwork Amount (40% of 4' borrow)					
C-631 E Scraper	5.5 Acres	375 cy/hr	38	\$ 240.00	\$ 9,086
D-10 R Dozer (one dozer to assist loading four scrapers)	14,197 Cubic Yards		9	\$ 320.00	\$ 3,029
D-10 R Dozer (spreading on hillside)	14,197 Cubic Yards	375 cy/hr	38	\$ 320.00	\$ 12,115
Distribution of salvaged topsoil					
D-10 R Dozer	6 Acres	375 cy/hr	23	\$ 320.00	\$ 7,411
Scarification (average 18" depth)					
D-10 R Dozer with multishank ripper	199 Acres	3,000 cy/hr	161	\$ 320.00	\$ 51,369
Construction Management					
Water Truck	3.5 Months	87 hr/mo	305	\$ 100.00	\$ 30,450
Foreman and 4x4 pickup - Nielson	3.5 Months	174 hr/mo	609	\$ 56.50	\$ 34,409
Total Construction Management					\$ 64,859
Total Backfill, Grading and support					\$ 784,755

DETERMINATION OF BOND AMOUNT - Revegetation

ITEM	QUANTITY	UNIT COST	COST
Atriplex Grass Revegetation Areas			
Seed Material Costs (Granite Seed Sept 2010)	17.5 Acres	\$ 359.00	\$ 6,283
Tractor Spreader (equip & labor) B-66 Reveg 004 + 10%	762 MSF	\$ 11.55	\$ 8,805
Fertilizer hydrosread M029351000180 + 10%	762 MSF	\$ 4.18	\$ 3,186
Pinyon Juniper Sagebrush Revegetation Areas			
Seed Material Costs (Granite Seed Sept 2010)	183.8 Acres	\$ 566.70	\$ 104,159
Tractor Spreader (equip & labor) B-66 Reveg 004 + 10%	8,006 MSF	\$ 11.55	\$ 92,473
Fertilizer hydrosread M029351000180 + 10%	8,006 MSF	\$ 4.18	\$ 33,466
Hydrophytic Revegetation Areas			
Seed Material Costs (Granite Seed Sept 2010)	0.6 Acres	\$ 279.90	\$ 168
Tractor Spreader (equip & labor) B-66 Reveg 004 + 10%	26 MSF	\$ 11.55	\$ 302
Fertilizer hydrosread M029351000180 + 10%	26 MSF	\$ 4.18	\$ 109
Subtotal Revegetation	201.9 Acres		\$ 248,952
Reseeding 25%	50.5 Acres		\$ 62,238
Plastic netting (Means 312513100100)	5,000 square yards	\$ 1.13	\$ 5,650
Silt fences (Means 312513101000)	300 Linear Feet	\$ 0.79	\$ 237
Total Erosion Control			\$ 5,887
Total Revegetation and Erosion Control			\$ 317,076

TABLE 8-2

EQUIPMENT RATE COSTS AND PRODUCTION RATES

Equipment Costs

Based on 2010 Rates from Nelco Contractors, Scamp Excavation and from Nielson Construction
Total Hourly Costs with Operator included

	Scamp	Nelco	Nielson	Rates uses in Bond Calculation
Standard Crawler Dozer				
D10N - Scamp	\$ 230.00			
D10N - Nelco		\$ 255.00		
D10R - Nielson			\$ 320.00	\$ 320.00
Single Engine Conventional Scraper				
631 Scamp	\$ 200.00			
651B Nelco		\$ 248.00		
631E - Nielson			\$ 240.00	\$ 240.00
Multi-Shank Ripper Included with Dozer	\$ -	\$ -	\$ -	\$ -
Off-Highway Water Truck				
Water Truck - Scamp	\$ 70.00			
100 BRL Vac Truck - Nelco		\$ 95.00		
4000 Gal w driver - Nielson			\$ 100.00	\$ 100.00
On-Highway Light Duty Truck - gas powered 4x4 pickup included w/ supervisor - Scamp	\$ 42.50			
1 Ton Pickup Truck - Nelco		\$ 28.00		
Foreman - Nelco		\$ 52.00		
4x4 pickup included with foreman - Nielson			\$ 56.50	\$ 56.50
Track Excavator				
420- Scamp	\$ 160.00			
325- Nelco		\$ 120.00		
325 - Nielson			\$ 135.00	\$ 135.00



FAX

1697 West 2100 North
Lehi, UT 84043

Phone: (801) 768-4422
Fax: (801) 768-3967

Date: September 17, 2010

To: Scott

Company: Twin Peaks PC

From: Ryan Timoney

Pages (Including Cover): 1

Re: Seed Mix Pricing

Scott:

The following is the current cost of your seed mixes Sunnyside Refuse.

Atriplex/Grass Areas- \$359.00 pre acre

Pinyon/Juniper/Sagebrush Areas- \$566.70 per acre

Hydrophytic Vegetation Areas- \$279.90 per acre

If you have any questions, please call.

Thank you,

Ryan Timoney
Granite Seed Company

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 Price List for Hourly Work

Page 1

Price list for 2010, from January 2010

Work Description	Unit	Price
Forman & 4X4 Pickup	Hr.	\$56.50
Project Manager & 4X4 Pickup	Hr.	\$70.00
Grade Setter	Hr.	\$41.00
GPS Survey Tech	Hr.	\$50.00
GPS Survey Equipment	Hr.	\$75.00
Skilled Labor	Hr.	\$42.50
Labor	Hr.	\$30.50
4X4 Pickup	Hr.	\$18.00
2 Ton Truck (Roustabout Truck)	Hr.	\$39.00
Float for 1 Ton Truck	Hr.	\$25.00
Gooseneck Trailer (2hr min.)	Hr.	\$22.00
Bobcat & Operator	Hr.	\$76.50
580 Case 4x4 Case Extindahoe & Operator	Hr.	\$73.50
John Deere Mini & Operator	Hr.	\$110.00
416 Backhoe & Operator	Hr.	\$70.00
416 4X4 Backhoe & Operator	Hr.	\$75.00
420 Backhoe & Operator	Hr.	\$85.00
426 Backhoe & Operator	Hr.	\$85.00
430 Backhoe & Operator	Hr.	\$90.00
225 Backhoe & Operator	Hr.	\$115.00
225 Hoe Ram & Operator	Hr.	\$180.00
229 Backhoe & Operator	Hr.	\$135.00
305 Trackhoe & Operator	Hr.	\$90.00
312 Trackhoe & Operator	Hr.	\$115.00
315 Trackhoe & Operator	Hr.	\$115.00
320 Longstick & Operator	Hr.	\$150.00
320 Backhoe & Operator	Hr.	\$135.00
322 Backhoe w/ thumb & Operator	Hr.	\$140.00
324 Longstick & Operator (60 ft. reach)	Hr.	\$185.00
330 Backhoe & Operator	Hr.	\$170.00
325 Backhoe & Operator	Hr.	\$135.00
325 Backhoe w/ thumb & Operator	Hr.	\$150.00
235 Backhoe & Operator	Hr.	\$165.00
235 Hoe Ram & Operator	Hr.	\$225.00
345 Backhoe & Operator	Hr.	\$225.00
Robo Trac	month	\$8,500.00
John Henry Drill	Hr.	\$310.00
Dragline 60 ton with 2.5 bucket, 80 ft boom with 120 ft reach minimum & operator	Hr.	\$210.00
844 Loader and Operator	Hr.	\$195.00
910 Loader and Operator	Hr.	\$85.00
930 Loader and Operator	Hr.	\$90.00
950 Loader & Operator	Hr.	\$100.00
966 Loader & Operator	Hr.	\$120.00
980 B Loader & Operator	Hr.	\$120.00
980 C Loader & Operator	Hr.	\$150.00
980 F Loader & Operator	Hr.	\$160.00
980 H Loader & Operator	Hr.	\$190.00
988 B Loader & Operator	Hr.	\$180.00
Cat Extendable Forklift	Hr.	\$100.00
D3 Dozer & Operator	Hr.	\$100.00

Nielson Construction
NIELSON CONSTRUCTION
 Price List for Hourly Work

Page 2

D5N Dozer & Operator	Hr.	\$125.00
D6 Dozer & Operator	Hr.	\$120.00
D8H Loader and Operator	Hr.	\$135.00
D8K Dozer & Operator	Hr.	\$160.00
D8L Dozer & Operator	Hr.	\$185.00
D8N Dozer & Operator	Hr.	\$190.00
D8R Dozer & Operator	Hr.	\$200.00
D8T Dozer & Operator	Hr.	\$220.00
D9N Dozer & Operator	Hr.	\$215.00
D9R Dozer & Operator	Hr.	\$240.00
D9T Dozer & Operator	Hr.	\$240.00
D10R Dozer & Operator	Hr.	\$320.00
814 Rubber Tire Dozer and Operator	Hr.	\$135.00
834 Rubber Tire Dozer and Operator	Hr.	\$195.00
963 Track Loader and Operator	Hr.	\$130.00
Double Steer Rig up Truck & Operator	Hr.	\$260.00
C-500 Rig up Truck, 50 Ton and Operator (Winch Truck)	Hr.	\$195.00
35 Ton Winch Truck and Operator	Hr.	\$170.00
Winch Haul Truck	Hr.	\$150.00
Anchor Truck	Hr.	\$140.00
Test Anchors	per	\$80.00
New Anchors	per	\$305.00
Hydrovac Truck & Operator	Hr.	\$245.00
Transport & Driver (0-29 Tons)	Hr.	\$135.00
Transport & Driver (30-39 Tons)	Hr.	\$145.00
Transport & Driver (40-49 Tons)	Hr.	\$155.00
Transport & Driver (50-59 Tons)	Hr.	\$170.00
Transport & Driver (60-69 Tons)	Hr.	\$175.00
Transport & Driver (70 & over Tons)	Hr.	\$185.00
Permits will be charged at normal permit price		
Pilot Car	Hr.	\$60.00
10 Wheel Dump Truck (12 c.y.) and Driver	Hr.	\$95.00
10 Wheel Rock Dump Truck & Driver	Hr.	\$105.00
Super Dump & Driver	Hr.	\$110.00
Single Belly Dump (22 c.y.) and Driver	Hr.	\$105.00
Double Bell Dump (28 c.y.) and Driver	Hr.	\$120.00
Semi With End Dump Trailer	Hr.	\$110.00
Flat Bed & Driver	Hr.	\$110.00
Side Dump & Driver	Hr.	\$115.00
Bucket Truck & Driver	Hr.	\$105.00
Snow Plow & Operator	Hr.	\$108.50
Sanding Truck & Driver	Hr.	\$100.00
Snow Blower & Operator	Hr.	\$155.00
769 Cat Rock Truck (35 ton) and Driver	Hr.	\$175.00
140 Motor Grader and Operator	Hr.	\$120.00
14 G Motor Grader and Operator	Hr.	\$140.00
14 H Motor Grader and Operator	Hr.	\$145.00
14 M Motor Grader and Operator	Hr.	\$152.25
16 G Motor Grader and Operator	Hr.	\$160.00
16 H Motor Grader and Operator	Hr.	\$177.25
16 M Motor Grader and Operator	Hr.	\$192.25
160H Motor Grader and Operator	Hr.	\$150.00
877 John Deere All Wheel and Operator	Hr.	\$165.00
631 D Scraper and Operator	Hr.	\$210.00

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NIELSON CONSTRUCTION
 Price List for Hourly Work

631 E Scraper and Operator	Hr.	\$240.00
613 Self Loading Scraper and Operator	Hr.	\$135.00
623 Paddlewheel and Operator	Hr.	\$205.00
627G Scraper and Operator	Hr.	\$235.00
633 Self Loading Scraper & Operator	Hr.	\$185.00
637G Scraper and Operator	Hr.	\$365.00
815 B Roller & Operaotr	Hr.	\$135.50
825 Sheepsfoot Compactor and Operator	Hr.	\$165.00
1 Ton Walk behind Compactor	Hr.	\$47.00
Wacker Compactor	Hr.	\$25.00
10 Ton Smooth Drum Compactor and Operator	Hr.	\$120.00
Air Track Compressor and Operator (Does not include bits and steels, collars, striker bars)	Hr.	\$190.00
Jackhammer	Hr.	\$28.00
185 Air Compressor	Hr.	\$42.00
6" Water Pump	Hr.	\$30.00
4" Water Pump	Hr.	\$20.00
3" Water Pump	Hr.	\$19.00
2" Water Pump	Hr.	\$16.00
Duo Pac Roller & Operator	Hr.	\$115.00
4000 Gallon Water Truck and Driver (Water Truck)	Hr.	\$100.00
5700 Gallon Water Truck and Driver (Water Tanker)	Hr.	\$110.00
Stain Less Water Tanker and Driver	Hr.	\$110.00
High Pressure Pump Truck	Hr.	\$120.00
Water Wagon 8,000 gallon	Hr.	\$165.00
Water Wagon 10,000 gallon	Hr.	\$180.00
20 Ton Hydraulic Crane and Operator	Hr.	\$115.00
30 Ton Hydraulic crane and Operator	Hr.	\$140.00
60 Ton Hydraulic Crane & Operator	Hr.	\$170.00
100 Ton Hydraulic Crane & Operator	Hr.	\$235.00
130 Ton Hydraulic Crane & Operator	Hr.	\$275.00
150 Ton Hydraulic Crane & Operator	Hr.	\$290.00
170 Ton Hydraulic Crane & Operator	Hr.	\$315.00
Rigger & Pickup (req. w/all cranes if cust. can't provide a cert. rigger	Hr.	\$45.00
Man Lift & Operator	Hr.	\$87.50
Welder with Truck or Shop Welder	Hr.	\$80.00
Lube Truck & Operator	Hr.	\$71.00
Cutting Torch	Hr.	\$20.00
Steam Cleaner and Truck	Hr.	\$60.00
3" to 4" Pipe Threader	Day	\$60.00
2" to 4" Pipe Bevel Machine	Day	\$60.00
6" to 12" Pipe Bevel Machine	Day	\$71.00
Gas Monitor (Lel, O2, H2S)	Day	\$66.00
4" to 20" Track Star	Hr.	\$90.00
Electo Fusion Machine	Hr.	\$40.00
4" to 12" Fusion Machine	Hr.	\$60.00
2" to 8" Fusion Machine	Hr.	\$32.00
1" to 4" Fusion Machine	Hr.	\$16.00
Scaffolding per section	Week	\$23.00
Generator	Hr.	\$30.00
Chain Saw	Hr.	\$28.00
Sand Blaster	Hr.	\$28.00
Airless / Pot Paint Sprayers	Hr.	\$28.00
Oxyace Line Burner Machine	Day	\$28.00

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Nielson Construction
NIELSON CONSTRUCTION
 Price List for Hourly Work

Page 4

Jack Hammer	Hr.	\$17.00
Gas Cut off Saw	Hr.	\$17.00
Hilti Drill	Hr.	\$17.00
Tractor and Posthole digger	Hr.	\$80.00
Tractor and Drill	Hr.	\$120.00
Trash per load	Ld.	\$157.50
Fresh Water from Hydrants	BBL	\$0.125
Fresh Water from Orangeville Pond	BBL	\$0.10
Cat Breaker Ram	Hr.	\$72.00
Machinest Field Rate	Hr.	\$73.25
Machinest Shop Rate	Hr.	\$62.75
Light Plant	Day	\$105.00
Vermeer Trencher	Hr.	\$90.00
Ditch Witch	Hr.	\$100.00
Heater	Day	\$80.00
Trash Basket	Day	\$20.00
Flagger Travel Time	Hr.	\$15.00
Traffic Control	Hr.	\$65.00
Pressure Washer	Hr.	\$48.00

This list contains items that we felt were likely to be needed.
 We have additional items which are not part of this price list, so
 please check with us if you are looking for an item that is not included on this list.

Miscellaneous Construction Material: Cost + 10%

On Call 2hrs. Minimum for Crew Pusher & Truck
 Call Outs 2hrs. Minimum for Crew Pusher & Truck

Travel Time to be paid to & from the location for the crew and transportation.

Over Time: Regular overtime will be time and a half for Labor and Forman and an additional \$20.00 an hour for operators and truck drivers for over 40 Hr. a week, Saturdays, or for work performed outside of regular working hours: 7:00 A.M. to 5:30 P.M. unless the request is given one week in advance to allow scheduling

Sundays and Holidays will be double time for Laborers and Forman, and an additional \$40.00 an hour for Truck Drivers and Operators.



P.O. Box 282 Price, Utah 84501
 Tele: (435) 634-3495 Fax: (435) 634-3497

Sunnyside CoGen

Sunnyside Power Plant

February 8, 2010

The following is a list of our equipment and their hourly/daily rates to assist your needs:
 These rates include machine and operator.

Equipment rates effective 2-8-2010	RATE	RATE w/OT	w/Snow Eq
D-5H Dozer	\$ 85.00 hr.		
D-6D Dozer	\$ 80.00 hr.		\$ 133.00 hr
D-6M Dozer	\$ 95.00 hr.		
D-8K Dozer	\$ 132.00 hr.		
D-8L Dozer	\$ 165.00 hr.		
D-8N Dozer	\$ 155.00 hr.		
D-8R Dozer	\$ 155.00 hr.		
D-10N Dozer	\$ 255.00 hr.		
621B Scraper	\$ 160.00 hr.		
651B Scraper	\$ 248.00 hr.		
380 Loader	\$ 90.00 hr		\$ 115.00 hr
500 Loader	\$ 125.00 hr		\$ 138.00 hr
530 Loader	\$ 90.00 hr.	\$ 106.00 hr	
600 Loader	\$ 165.00 hr.		
450 Loader	\$ 115.00 hr		
966 Loader	\$ 95.00 hr.	\$ 111.00 hr	\$ 115.00 hr
416 Backhoe	\$ 78.00 hr.		
420 Backhoe	\$ 78.00 hr.	\$ 94.00 hr	
580 Backhoe	\$ 78.00 hr.		
Skid Steer Loader	\$ 85.00 hr.		
Vermeer Trencher	\$ 135.00 hr.		
Mini Excavator	\$ 80.00 hr		
200 Excavator	\$ 100.00 hr.		
220 Excavator	\$ 110.00 hr.		
220 Excavator w/Screen	\$ 165.00 hr.		
220 Excavator w/Rock Hammer	\$ 175.00 hr.		
240 Excavator	\$ 100.00 hr.		
240 Excavator w/Screen	\$ 165.00 hr.		
300 Excavator	\$ 130.00 hr.		
320 Excavator	\$ 100.00 hr.		
322 Excavator	\$ 115.00 hr.		
325 Excavator	\$ 120.00 hr.		

Equipment rates effective 2-8-2010

	RATE	RATE w/OT	w/Snow Eq
325 Excavator w/Screen	\$ 165.00 hr.		
330 Excavator	\$ 130.00 hr.		
400 Excavator	\$ 165.00 hr.		
Hydro-Excavator	\$ 240.00 hr.		
140G Grader	\$ 108.00 hr.		
14G Grader	\$ 120.00 hr.		\$ 175.00 hr
16G Grader	\$ 155.00 hr.		\$ 175.00 hr
Forklift	\$ 72.00 hr.		
Raygo Roller	\$ 65.00 hr.		
Dynapac Roller	\$ 95.00 hr.		
Sheep Foot Roller	\$ 101.00 hr.		
RT Wacker Roller	\$ 52.00 hr.		
Wacker Jumping Jack Compactor	\$ 9.00 hr.	\$ 48.00 day	
Disc (Large)	\$ 82.00 hr.		
Disc (Small)	\$ 67.00 hr.		
Seed Drill	\$ 140.00 hr.		
Tractor only	\$ 95.00 hr.		
Tractor w/Attachments	\$ 81.00 hr.		
Truck w/Spreader	\$ 28.50 hr.		
4-wheeler	\$ 30.00 hr.		
4-wheeler w/Attachments	\$ 46.00 hr.		
Winch Truck	\$ 115.00 hr.		
Tractor/Trailer	\$ 98.00 hr.		
Transport Hourly rate of equipment bein	\$ 120.00 hr.		
Belly Dump	\$ 100.00 hr.		
Belly Dump w/Pup	\$ 105.00 hr.		
End Dump	\$ 85.00 hr.		
30' End Dump	\$ 100.00 hr.		
Side Dump	\$ 100.00 hr.		
Super End Dump	\$ 100.00 hr.		
1 Ton End Dump	\$ 55.00 hr.		
Bucket Truck	\$ 85.00 hr.		
Kill Truck	\$ 120.00 hr.		
100 Brl Vac Trk	\$ 95.00 hr.		
120 Brl Vac Trk	\$ 105.00 hr.		
23 Ton Boom Truck	\$ 135.00 hr.		
40 Ton Boom Truck	\$ 153.00 hr.		
1 Ton Pickup Truck	\$ 28.00 hr.		
2 Ton Pickup Truck	\$ 62.00 hr.		
1 Ton Truck w/30' Trailer	\$ 40.00 hr.		
Pickup Truck	\$ 18.00 hr.	\$ 126.00 day	
Pickup w/Trailer	\$ 35.00 hr.		
Pilot Car w/Driver	\$ 70.00 hr.		
Fuel / Lube/ Service Truck	\$ 110.00 hr.		
Triplex Pump	\$ 65.00 hr.		
Welding Truck	\$ 85.00 hr.		

NeLco Pg 2

Equipment rates effective 2-8-2010	RATE	RATE w/OT	w/Snow Eq
Branch Saddle Machine	\$ 15.00 hr.		
4" Fusion Machine	\$ 12.00 hr.	\$ 75.00 day	
8" Fusion Machine	\$ 17.00 hr.	\$ 120.00 day	
12" Fusion Machine	\$ 29.00 hr.	\$ 212.00 day	
18" Fusion Machine	\$ 37.00 hr.	\$ 275.00 day	
Trac Star Fusion Machine	\$ 47.00 hr.		
3500 Watt Generator	\$ 7.50 hr.	\$ 43.00 day	
5000 Watt Generator	\$ 8.50 hr.	\$ 51.00 day	
8000 Watt Generator	\$ 10.50 hr.	\$ 75.00 day	
Cut-Off-Saw	\$ 5.00 hr.	\$ 30.00 day	
Pipe Threader	\$ 10.50 hr.	\$ 78.00 day	
Airless Sprayer	\$ 13.00 hr.	\$ 85.00 day	
Hilti Drill	\$ 9.00 hr.		
185 Compressor	\$ 15.00 hr.	\$ 85.00 day	
185 Compressor w/Drill	\$ 25.00 hr.	\$ 185.00 day	
Chain Saw	\$ 11.50 hr.	\$ 68.00 day	
Laser	\$ 11.50 hr.	\$ 68.00 day	
Portable Welder	\$ 18.00 hr.	\$ 78.00 day	
2" Pump	\$ 4.00 hr.	\$ 34.00 day	
3" Pump	\$ 5.75 hr.	\$ 38.00 day	
6" Pump	\$ 17.50 hr.	\$ 148.00 day	
Sand Blaster		\$ 68.00 day	
Pressure Washer	\$ 28.00 hr.		
Air Track Drill	\$ 115.00 hr.		
Snow Mobile	\$ 30.00 hr.	\$ 180.00 day	
Superintendant	\$ 63.00 hr.	\$ 85.00 hr.	
Foreman	\$ 52.00 hr.	\$ 70.00 hr.	
Skilled Labor	\$ 38.00 hr.	\$ 52.00 hr.	
Labor	\$ 32.00 hr.	\$ 46.00 hr.	
Operator	\$ 40.50 hr.	\$ 56.50 hr.	
Welder	\$ 85.00 hr.	\$ 103.00 hr.	
Shop Mechanic	\$ 70.00 hr.	\$ 91.00 hr.	
Driver	\$ 40.50 hr.	\$ 56.50 hr.	
Engineer	\$ 65.00 hr.		
Mobile Service Truck w/Mechanic	\$ 110.00 hr.	\$ 125.00 hr.	

Sincerely,

Jason Frandsen

Digitally signed by Jason Frandsen
DN: cn=Jason Frandsen, o=Nelco Contractors,
Inc., ou=Projects,
email=jason@nelcocontractors.com, c=US
Date: 2010.09.22 13:41:14 -0600

Jason Frandsen
Project Engineer, Nelco Contractors, Inc.

Scamp Excavation, Inc.
PO Box 50, Wellington, UT 84542

Rate Sheet
September 2010

Customer:
Sunnyside CoGeneration Power Plant

"24 hours a day, 7 days a week/Have transport will travel"

Equipment	Rate Per Hour	Equipment	Rate per Hour
350L Excavators	\$185.00	Supervisor	\$29.50
420 Excavators	\$160.00	Leadman	\$26.50
330 Excavator w/Hammer	\$160.00	Skilled Labor	\$26.00
300 Excavator w/Hammer	\$150.00	Laborer	\$24.50
200 Series Excavators	\$120.00	Rock Drill	\$250.00
Mini Excavator w/Hammer Attach	\$125.00	50 ton Lowboy Transport	\$115.00
Mini Excavators	\$85.00	75 Ton Lowboy Transport	\$135.00
D10-N Bulldozers	\$230.00	Water Trucks	\$70.00
D9L Bulldozers	\$215.00	6x6 Water Trucks	\$80.00
D9R Bulldozers	\$200.00	Vacuum Water Trucks	\$80.00
D9G & D155 Bulldozers	\$150.00	Vacuum Water Trailers	\$80.00
Cat 834 Wheeled Bulldozer	\$140.00	621 Water Wagon	\$120.00
D8 Bulldozers	\$150.00	Rock Trucks	\$185.00
D6 - 6 Way Bulldozer	\$100.00	10 Wheeler Dump Trucks	\$80.00
D5 - 6Way Bulldozer	\$90.00	End Dump Trailers	\$90.00
Volvo Grader	\$120.00	Belly Dump Trailers	\$90.00
163H Graders	\$110.00	Crane: 20 Ton	\$90.00
Champion/Wabco Graders	\$95.00	Pipe Truck	\$60.00
631 Scrapers	\$200.00	Service Trucks	\$75.00
13 cuyd Scrapers	\$185.00	Pilot Trucks	\$50.00
988B Loader	\$135.00	6x6 Military Truck	\$55.00
Mega 500 Loader	\$125.00	Hydra Seeder	\$100.00
Mega 400 Loader	\$100.00	Jumping Jack	\$35.00
Loaders	\$95.00	Pump	\$20.00
416B Backhoe	\$80.00	Laser	\$20.00
Breaker Bobcat	\$95.00	Air Shovel	\$45.00
Skid Steer	\$55.00	Triplex Pump (Daily Rate)	
Forklifts	\$95.00	Triplex Pump (Hourly Rate)	
Small Trencher	\$70.00		
815 Compactor	\$130.00		
48" Compactor	\$75.00		
80" Compactor	\$80.00		
Fuser Machine: 2" to 8"	\$60.00		
Fuser Machine: 10" to 18"	\$70.00		

Rates include Operator

For other equipment not listed, rates are available upon request

Rates are subject to change without notice

Materials are Charged Our Cost Plus 20% Service Charge

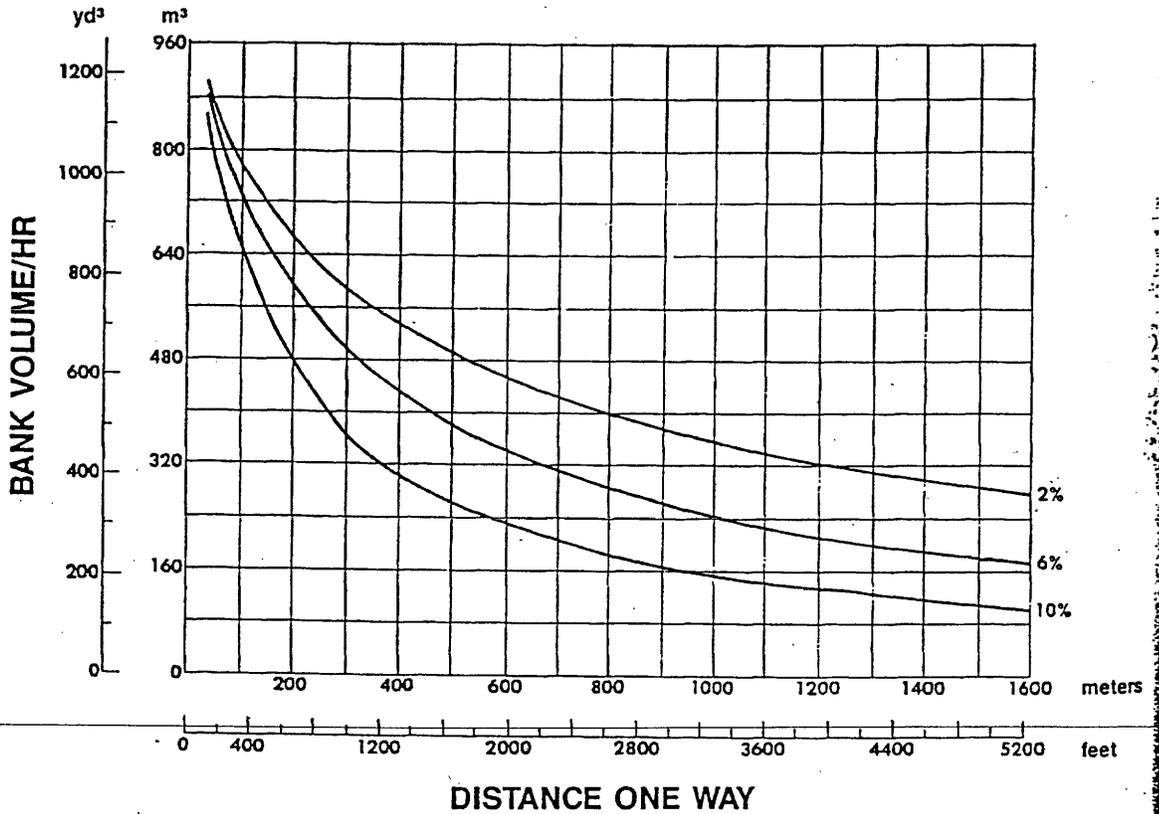
EQUIPMENT PRODUCTION
(Caterpillar Performance Handbook)

CAT 651 E SCRAPER	
Slope ranges	2% - 6%
Haul Distance Ranges	1500-2600 ft (one way)
Production	400 - 500 bank cubic yards / hour
CAT 631 E SCRAPER	
Slope ranges	2% - 6%
Haul Distance Ranges	1500-2600 ft (one way)
Production	320-460 bank cubic yards / hour
CAT D 10 R DOZER	
100 ft ave dozing distance	1800 loose cubic yards / hour
300 ft ave dozing distance	700 loose cubic yards / hour
600 ft ave dozing distance	375 loose cubic yards / hour
MULTISHANK RIPPER on D 10 DOZER	
Seismic Velocity Rate for Topsoil	3000 ft/sec
Production (ideal conditions)	3000 BCY/hr
Track Excavator 325 CL	
	2 yard bucket
Cycle time	0.4 minutes
Riprap Placement efficiency	60%
Riprap production rate	180 yds/hour
Culvert Ex: 10% eff, 1 yd bucket	15 yds/hour

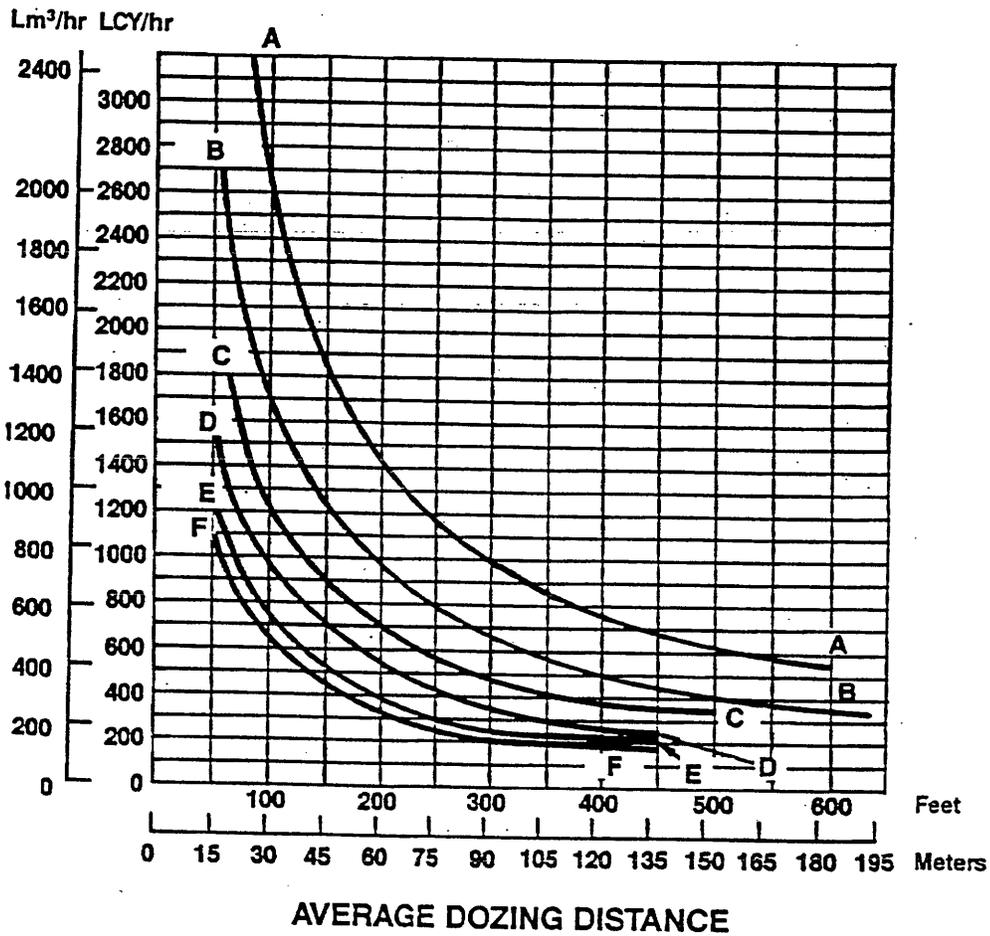
DISTANCE vs. PRODUCTION

CONDITIONS: Flat haul. Percentages shown are rolling resistance only. 100% efficiency (60 min hour).

- Material: 1780 kg/m³ (3,000 lb/yd³).
- Payload: 47 200 kg, 26.5 Bm³ (104,056 lb, 34.6 BCY).
- Empty weight: 60 950 kg (134,370 lb).
- Fixed time: 1.3 min.



ESTIMATED DOZING PRODUCTION • Universal Blades • D7G through D11N



- KEY**
- A — D11N-11U
 - B — D10N-10U
 - C — D9N-9U
 - D — D8N-8U
 - E — D7H-7U
 - F — D7G-7U

NOTE: This chart is based on numerous field studies made under varying job conditions. Refer to correction factors following these charts.

INCORPORATED

JAN 16 2003

DIV OF OIL GAS & MINING

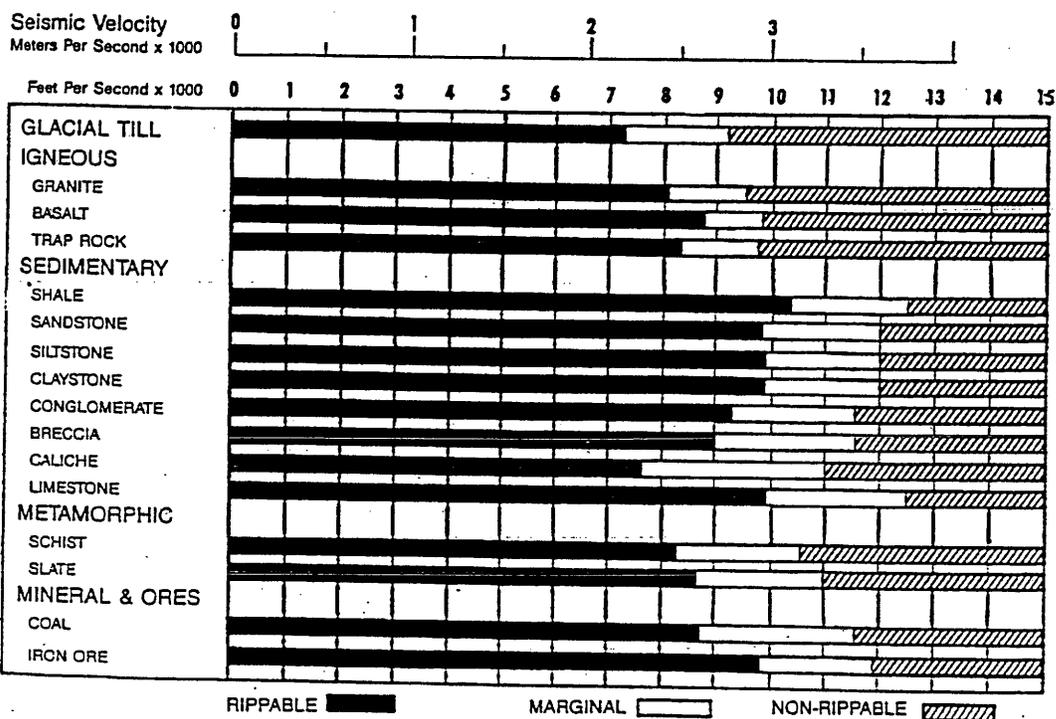
Impact Ripper Performance
• D10N

Rippers

1

D10N

- Single Shank Impact Ripper
- Estimated by Seismic Wave Velocities



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JAN 16 2003

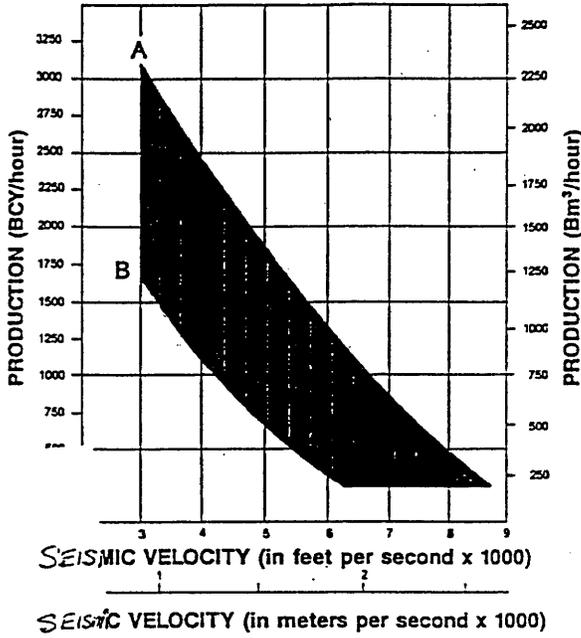
DIV OF OIL GAS & MINING

Rippers

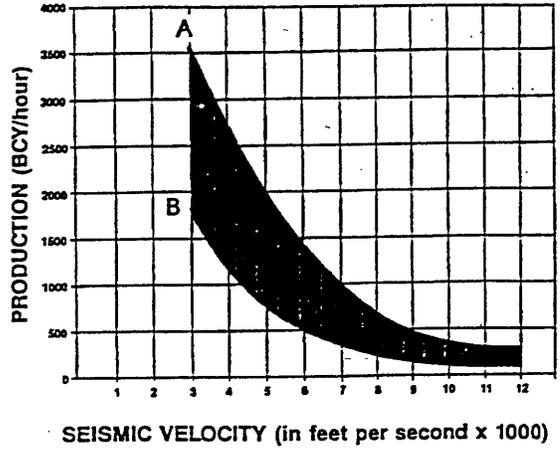
Estimated Ripper Production Graphs

- D10N
- D11N

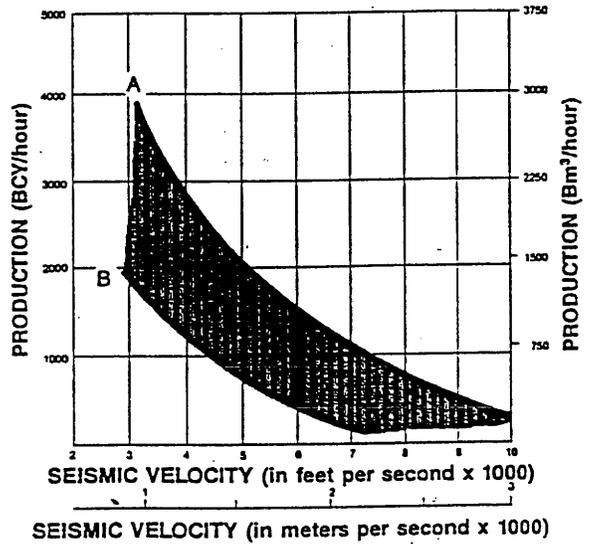
D10N WITH SINGLE SHANK



D10N WITH IMPACT RIPPER



D11N WITH SINGLE SHANK



KEY
 A — IDEAL
 B — ADVERSE

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Drainage Channel Reconstruction

Name of lined channel	Minor Channels (riprap)		Major Channels (Riprap & Filter bed)	
	Slope > %	Length req	Slope > %	Length req
Past-RD3	3.5	600	n/a	-
Past-RD6	3.7	90	6.8	500
CRT-RD1	3.7	-	n/a	-
CRT-RD2	8	120	22	100
RC-RD1	4	90	7.5	-
RC-RD3	2.5	-	3.8	270
RC-RD4	5	60	n/a	-
RC-RD6	2	-	4.5	100
RC-RD8	2	-	4	200
RC-RD11	2.4	170	3.6	530
OCRR-RD1	5.6	370	n/a	-
OCRR-RD4	4	200	n/a	-
BOR-RD2	2.7	800	n/a	-
Total Length of lined channels		2500		1700