

Sunnyside Cogeneration Associates

P.O. Box 10, East Carbon, Utah 84520 • (801) 888-4476 • Fax (801) 888-2538

September 27, 2017

Daron Haddock
Division of Oil Gas and Mining
1594 West North Temple, Suite 1210
Salt Lake City, UT 84116

RE: Sunnyside Refuse and Slurry C/007/0035
Task #5498 – Clean Copies – Updated Corporate Information

Dear Mr. Haddock,

SCA is submitting the requested clean copies for permit amendment Task #5498. The requested reclamation agreement documents are included.

If you have any questions regarding this submittal, please contact me or Rusty Netz at 435-888-4476.

Sincerely,

A handwritten signature in black ink, appearing to read "Gerald Hascall". The signature is fluid and cursive.

Gerald Hascall
Agent for
Sunnyside Cogeneration Associates

cc: Rusty Netz
Plant Files
Scott Carlson

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SEP 28 2017

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APPLICATION FOR COAL PERMIT PROCESSING

Permit Change New Permit Renewal Exploration Bond Release Transfer

Permittee: SUNNYSIDE COGENERATION ASSOCIATES

Mine: SUNNYSIDE REFUSE AND SLURRY

Permit Number:

C/007/035

Title: Update Corporate Information

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

Task #5498 Clean Copies

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

- Yes No 1. Change in the size of the Permit Area? Acres: _____ Disturbed Area: 0.00 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 # _____
- 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?
- Yes No 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.

Gerald Hascall Plant Manager 09/27/2017 Gerald Hascall
 Print Name Position Date Signature (Right-click above choose certify then have notary sign below)

Subscribed and sworn to before me this 27 day of September, 2017

Notary Public: Amber Nichols, state of Utah.

My commission Expires: May 15, 2021 }
 Commission Number: 694843 } ss:
 Address: #1 Power plant Rd }
 City: Sunnyside State: UT Zip: 84539 }

For Office Use Only: 	Assigned Tracking Number: 	Received by Oil, Gas & Mining <div style="text-align: center; color: blue; font-size: 1.2em;">RECEIVED</div> <div style="text-align: center; color: red; font-size: 1.2em;">SEP 28 2017</div> <div style="text-align: center; color: blue; font-size: 1.2em;">DIV. OF OIL, GAS & MINING</div>
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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 Colmac Utah, Inc.. 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
Phone: (435) 888-4476

Plant Engineer

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

112.220 Information Regarding the Resident Agent:

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

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.

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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 Colmac Utah, Inc., 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 Colmac Utah, Inc., and their parent or controlling corporation.

The information relevant to Colmac Utah, Inc. and 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 Colmac Utah, Inc., 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 owners of the surface or mineral property to be mined other than the Applicant. Additionally, there are no leasehold interests 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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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:

Headwaters Incorporated
10653 South Riverfront Pkwy 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

Levada EF Five, LLC
c/o Adrian Zajac
115 East 92nd St, Apt 9A
New York, NY 10128

Sunnyside Cogeneration Associates
PO Box 159
Sunnyside UT 84539

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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

112.800 Applicants Interest in Contiguous Lands

Applicant holds a lease contiguous to the SCA Permit Area; 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.

SCA also owns property adjacent to the current permit area along the south, east and west sides.

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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 five year period prior to the application for Permit Renewal. Information regarding these violations is described below:

There have been no 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.

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.

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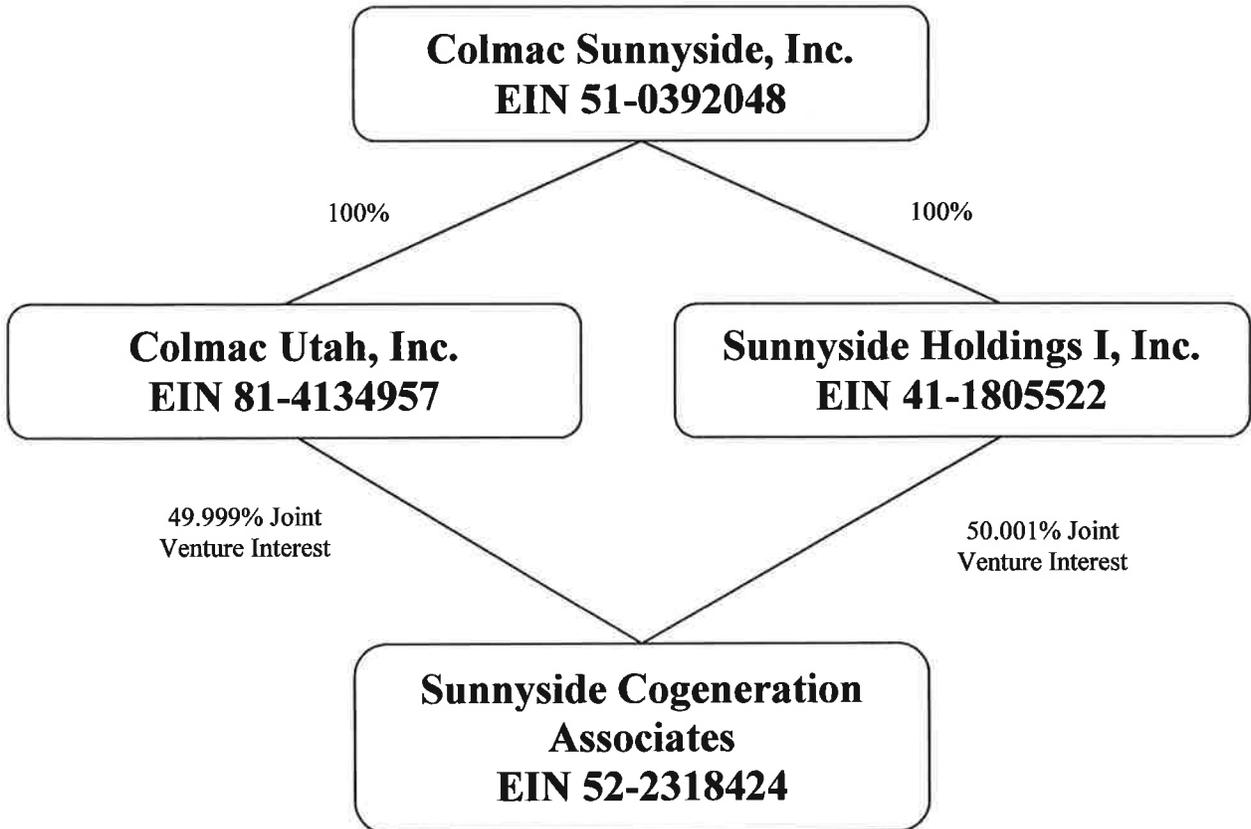
Figure 1-7
Information Regarding “Owners” and “Controllers”

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Sunnyside Cogeneration Associates
Figure 1-7
Information Regarding “Owners” and “Controllers”
Permit No. C/007/035



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Colmac Sunnyside, Inc.:

The following Directors and Officers were appointed to the positions set forth below.

<u>Directors:</u>	Robert S. McLeese	Director	August 23, 2010
	Chris L. Thompson	Director	August 23, 2010
	William K. Langan	Director	June 29, 2007
<u>Officers:</u>	Robert S. McLeese	Chairman	January 18, 2011
		Chief Executive Officer	January 18, 2011
		Chief Financial Officer	August 23, 2010
	Chris L. Thompson	President	July 15, 2009
	Joseph C. Lane	Secretary	July 13, 2011
	William K. Langan	Assistant Secretary	June 28, 2007
	Robert S. McLeese	Treasurer	August 25, 2014

The address for the officers and directors is 1105 North Market Street, Suite 650, Wilmington, DE 19801.

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Sunnyside Holdings I, Inc.:

The following Directors and Officers were appointed to the positions set forth below.

<u>Directors:</u>	Robert S. McLeese	Director	January 18, 2011
	Chris L. Thompson	Director	July 15, 2009
<u>Officers:</u>	Robert S. McLeese	Chairman Chief Executive Officer Chief Financial Officer	January 18, 2011
	Chris L. Thompson	President	July 15, 2009
	Joseph C. Lane	Vice President Secretary	August 25, 2014 July 14, 2011
	Robert S. McLeese	Treasurer	August 25, 2014

The address for the officers and directors is 1105 North Market Street, Suite 650, Wilmington, DE 19801.

Colmac Utah, Inc.:

The following Directors and Officers were appointed to the positions set forth below.

<u>Directors:</u>	Robert S. McLeese	Director	October 3, 2016
	Chris L. Thompson	Director	October 3, 2016
<u>Officers:</u>	Chris L. Thompson	President Secretary	October 3, 2016 October 3, 2016
	Robert S. McLeese	Chairman Treasurer	October 3, 2016 October 3, 2016

The address for the officers and directors is 1105 North Market Street, Suite 650, Wilmington, DE 19801.

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Sunnyside Cogeneration Associates:

Sunnyside Cogeneration Associates (“SCA”) is a joint venture comprised of Sunnyside Holdings I, Inc. and Colmac Utah, Inc. and has no corporate information of its own.

SCA’s address is One Power Plant Road, P.O. Box 159, Sunnyside, UT 84539
Telephone Number: 435-888-4476.

SCA’s Registered Agent is Brian W. Burnett, Esq., Kirton McConkie,
50 East South Temple, Suite 400, Salt Lake City, UT 84111, Telephone Number: 801-239-3185.

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