

C/007/035 Incoming  
C/007/042



## Sunnyside Cogeneration Associates

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

March 28, 2013



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

RECEIVED

APR 02 2013

DIV. OF OIL, GAS & MINING

RE: Sunnyside Cogeneration Associates (SCA) Annual Reports  
Sunnyside Refuse, C007/035  
Star Point Waste Fuel, C/007/042

Dear Mr. Haddock,

Enclosed, please find the Annual Reports for the Sunnyside Refuse, C007/035 and Star Point Waste Fuel, C/007/042 mine sites. As requested, we have saved the reports and a variety of supplemental information electronically on the enclosed CD.

Your January 2, 2013 standard letter mentioned several items, in addition to the regular report information.

1. Raptor and archeology reports – SCA is not required to submit any raptor or archeology reports.
2. Mine map identifying mining in 2012 – SCA has submitted with the report an updated map showing conditions of mining in 2012.
3. Mining proposed for the next five years – SCA maintains its current plan of proposed mining (projecting more than five years) in each of the MRP documents. Given the nature of SCA's mining activity (excavation of the waste piles), mining plans are not changing often and annual updates to the plan are not required.
4. Notices of Proposed Mining sent to districts, occupants and owners of surface property above the underground workings – SCA does not have any underground workings, no occupants exist and SCA owns the surface property at Sunnyside and most of the surface property at Star Point. Given the nature of SCA's mining activity, and since annual updates to the plan are not required, the notices provided to BLM (surface owner of a portion of the Star Point property) in past years (included in the approved MRP) are sufficient.

If you have any questions, please feel free to call Rusty Netz or myself at (435) 888-4476.

Thank You,



Richard Carter  
Agent for  
Sunnyside Cogeneration Associates

c.c. Rusty Netz  
Plant File

Print Form

Submit by Email

Reset Form

# Annual Report

This Annual Report shows information the Division has for your mine. Submit the completed document and any additional information identified in the Appendices to the Division by the date specified in the cover letter. During a complete inspection an inspector will check and verify the information.

## GENERAL INFORMATION

Company Name	Sunnyside Cogeneration Assoc.	Mine Name	Star Point Waste Fuel
Permit Number	C/007/0042	Permit expiration Date	2013-11-14
Operator Name	Plant Manager - Rick Carter	Phone Number	+1 (435) 888-4476
Mailing Address	PO Box 159	Email	
City	Sunnyside		
State	Ut	Zip Code	84539

## DOGM File Location or Annual Report Location

Excess Spoil Piles	<input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required	Submitted quarterly to DOGM
Refuse Piles	<input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required	Submitted quarterly to DOGM
Impoundments	<input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required	Submitted quarterly to DOGM
Other:		

## OPERATOR COMMENTS

All impoundments performed as designed with no discharges during 2012  
 The refuse pile is being excavated as intended and in conformance with the approved design  
 The Disposal area / Excess Spoil Pile is in conformance with the approved plan

## REVIEWER COMMENTS

Met Requirements  Did Not meet Requirements

## REPORTING OF OTHER TECHNICAL DATA

Please list other technical data or information that was not included in the form above, but is required under the approved plan, which must be periodically submitted to the Division.

Please list attachments:

Storm water permit was renewed effective 1/1/2012  
Two reclaimed areas within the permit boundary are being monitored by RAG in connection with their reclamation reporting. These areas appear to be doing well  
SCA excavated 286,342 tons of refuse material from this site and transported it to the SCA Sunnyside facility.  
No material was placed in the disposal area during 2012

Reviewer Comments

# MAPS

Copies of mine maps, current and up-to-date, are to be provided to the Division as an attachment to this report in accordance with the requirements of R645-301-525.240. The map copies shall be made in accordance with 30 CFR 75.1200 as required by MSHA. Mine maps are not considered confidential.

Map Name	Map Number	Included		Confidential	
		Yes	No	Yes	No
Mine Map	1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Current mining plan is in the permit	#521.100 d and e	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reviewer Comments    Met Requirements                       Did Not Meet Requirements



**SUNNYSIDE COGENERATION ASSOCIATES  
STAR POINT REFUSE (WASTE FUEL)  
C/007/0042  
2012 ANNUAL REPORT**

Submitted to:

State of Utah  
Department of Natural Resources  
Division of Oil, Gas and Mining  
1594 West North Temple, Suite 1210  
Box 145801  
Salt Lake City, Utah 84114-5801



**SUNNYSIDE COGENERATION ASSOCIATES**  
**STAR POINT WASTE FUEL**  
**2012 ANNUAL REPORT**

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- Appendix A Certified Reports**
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- Appendix C Dept of Commerce, Certificates of Existence**
- Appendix D Mine Map**



## I. GENERAL PERMIT INFORMATION

**Permit Number:** C/007/042

**Mine Name:** Star Point Waste Fuel

**Permittee:** Sunnyside Cogeneration Associates

**Company Representative  
& Resident Agent:** Mr. Richard Carter  
Plant Manager  
One Power Plant Road  
PO Box 159  
Sunnyside, UT 84539  
(435) 888-4476  
(435) 888-2538 fax

**Date of Initial Permanent Program Permit:** November 14, 2003

**Date of Most Recent Permit Renewal:** November 14, 2008  
The reclamation bond for SCA's Star Point facility was renewed during mid-term review 2011.

**Date of Expiration:** November 14, 2013

An amendment was submitted previously (task 3496) for which approval is still waiting. This amendment addresses a change in the permit boundary to remove the approved industrial PMLU area from the permit area. This amendment is waiting for reclamation to be completed in the area in accordance with the revised reclamation plan. A portion of the reclamation (focused on removing coal materials from the area) has been completed and it is likely that this reclamation work will be finished soon.



## II. IDENTIFICATION OF OTHER PERMITS

**MSHA ID Numbers:** Star Point Refuse Pile Mine ID No. 42-02334

MSHA granted approval for final abandonment of the Coarse Refuse Pile on January 28, 2004. As such, SCA's Star Point Waste Fuel Mine has no MSHA qualifying facilities or structures. The mine ID number remains active.

**Storm Water Permit Number:** UTR000604      Approved effective August 29, 2002  
Renewed effective Jan 1, 2012  
Expires December 31, 2016

Under the Utah Pollutant Discharge Elimination System, the Utah Department of Water Quality issued SCA a Multi-Sector General Permit for Storm Water Discharges associated with Industrial Activities from Coal Mines and Coal Mining-related Facilities. A copy of the renewal documents was submitted with last year's annual report.

**UPDES Discharge Permit Number:** UTG040025      Approved Sept 1, 2002  
Renewed May 1, 2008  
Expires April 30, 2013

The UDWQ has also issued SCA a general storm water discharge permit to regulate discharges from the three sediment ponds in the mining permit area (Ponds 005, 006 & 009). SCA submits monthly discharge monitoring reports to the DWQ. UDEQ DWQ renewed the General Coal Mining Permit No. UTG040000 in 2008. SCA's general permit was then renewed with reference to the state permit. SCA submitted renewal documents to the state DWQ in 2012 and anticipates that this permit will again be renewed in 2013.

### **Air Quality Permit:**

The operations on the Star Point Waste Coal Pile are of such a nature that the mining operation generates little to no emissions. The Utah State Department of Air Quality (DAQ) has determined that special air quality permitting is not required. DAQ issued a Small Source Exemption – De Minimis Emissions permit / letter for the Star Point Waste Fuel operation.



### III. CERTIFIED REPORTS

Each impoundment as well as the Refuse Pile and the proposed Disposal Area were inspected in accordance with the requirements of the Mining and Reclamation Permit. The quarterly and annual inspection / certification reports were submitted to the Division. These reports are also included in **Appendix A**.

No discharges occurred from any of the UPDES discharge points during 2012.

Excavation of Refuse from the Refuse Pile occurred in general conformance with the operational criteria and performance standards established in the permit. In 2012, the operator excavated coal material by removing refuse directly from the top of the main refuse pile.

No material was placed in the Disposal Area during the year.



## **IV. REPORTING OF OTHER TECHNICAL DATA**

### **1. Climatological Data**

Not required in the approved permit.

### **2. Subsidence Monitoring Data**

No subsidence monitoring is required by the approved plan. No material damage or diminution within the Permit Area will be caused by subsidence because no underground coal resources are available within the permit area that would cause subsidence. No past or future underground coal mining operations have or are likely to occur within the SCA Permit Area.

### **3. Vegetation Monitoring Data**

Two areas within the permit area have received final reclamation treatment. These are located at the west end of the permit area and at the southeast side, both adjoining the permit boundary. These areas were reclaimed by RAG in accordance with their reclamation work on the Star Point Mine. Monitoring of these areas is being performed by RAG and information on the reclamation success can be found in their annual report documents.

### **4. Raptor Surveys**

Raptor studies were conducted by DWR in 2002. No additional periodic raptor studies are required by the approved permit.

### **5. Water Monitoring Data**

Water monitoring is not required in the approved plan. SCA's operations to remove the refuse pile are not located in or around surface or ground water sources. Storm runoff is controlled and treated in sediment ponds regulated through the Storm Water Permit and UPDES Discharge Permit discussed above.



## **6. Geological / Geophysical Data**

No periodic Geological / Geophysical monitoring is required in the approved plan. The data included as resource information in the plan has been determined adequate for the operations of SCA. In the event that the operations of SCA change dramatically such that additional geologic or geophysical data becomes necessary, additional analysis will be performed at that time.

## **7. Engineering Data**

### **a. Refuse Excavation**

During 2012, SCA excavated a total of 286,478 tons of coal materials at the Star Point facility. This material was all transported to SCA's Sunnyside facilities.

### **b. Disposal Area**

During 2012 no material was deposited in the disposal area.

Inspections of the refuse area and the disposal area are conducted on a quarterly basis. Reports from these site visits are submitted to the Division throughout the year and have been included in this report with the certified reports.

## **8. Soils Monitoring Data**

No periodic soil monitoring is required by the approved plan. The approved subsoil storage pile reserved for reclamation activities has previously undergone soils studies from which the data is included in Chapter 2 of the Permit.

In the event that SCA determines it necessary to utilize soils from other sources for reclamation, the proper analysis will be performed at that time.

## **9. Other Data**

No additional periodic data is required in the approved plan.



## V. LEGAL, FINANCIAL, COMPLIANCE & RELATED INFORMATION

Sunnyside Cogeneration Associates is a joint venture between Sunnyside Holdings I, Inc. and Sunnyside II, L.P. **Appendix C** includes copies of the Certificates of Existence for Sunnyside Cogeneration Associates, Sunnyside Holdings I, Inc. and Sunnyside II, L.P. The Utah Department of Commerce, Division of Corporations and Commercial Code issues these certificates. They demonstrate that the entities are in good standing with the State of Utah.



## VI. MINE MAPS

The mine map included in **Appendix D** of this report provides a photographic update to the surface configuration of the refuse area being excavated. This refuse is utilized as fuel for the Sunnyside Cogeneration Facility. The aerial survey used to generate contours of the site was performed in May 2010. A February 2012 photograph of the active mining area has been added to the map to show current conditions.

Mining activity proposed for the next five years is projected to occur in general conformance with the mining plan shown on the PE Certified drawings approved in the Mining and Reclamation Permit.



## **APPENDIX A CERTIFIED REPORTS**



**APPENDIX A  
CERTIFIED REPORTS**

**FIRST QUARTER INSPECTION**

**IMPOUNDMENTS, REFUSE PILE AND DISPOSAL  
AREA**



**APPENDIX A  
CERTIFIED REPORTS**

**SECOND QUARTER INSPECTION**

**IMPOUNDMENTS, REFUSE PILE AND DISPOSAL  
AREA**



**APPENDIX A  
CERTIFIED REPORTS**

**THIRD QUARTER INSPECTION**

**IMPOUNDMENTS, REFUSE PILE AND DISPOSAL  
AREA**



**APPENDIX A  
CERTIFIED REPORTS**

**FOURTH QUARTER INSPECTION**

**IMPOUNDMENTS, REFUSE PILE AND DISPOSAL  
AREA**



**APPENDIX A**  
**CERTIFIED REPORTS**

**ANNUAL INSPECTION**

**IMPOUNDMENTS, REFUSE PILE AND DISPOSAL**  
**AREA**



## **APPENDIX B**

**No additional information required**



## **APPENDIX C**

# **DEPARTMENT OF COMMERCE CERTIFICATES OF EXISTENCE**



## **APPENDIX D**

### **MINE MAP**





















**Utah Department of Commerce**  
**Division of Corporations & Commercial Code**  
160 East 300 South, 2nd Floor, PO Box 146705  
Salt Lake City, UT 84114-6705  
Service Center: (801) 530-4849  
Toll Free: (877) 526-3994 Utah Residents  
Fax: (801) 530-6438  
Web Site: <http://www.commerce.utah.gov>

01/03/2013  
4911242-015001032013-2092458

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## CERTIFICATE OF EXISTENCE

**Registration Number:** 4911242-0150  
**Business Name:** SUNNYSIDE COGENERATION ASSOCIATES  
**Registered Date:** April 24, 2001  
**Entity Type:** DBA  
**Current Status:** Good Standing

The Division of Corporations and Commercial Code of the State of Utah, custodian of the records of business registrations, certifies that the business entity on this certificate is authorized to transact business and was duly registered under the laws of the State of Utah. The Division also certifies that this entity has paid all fees and penalties owed to this state; its most recent annual report has been filed by the Division (unless Delinquent); and, that Articles of Dissolution have not been filed.



Kathy Berg  
Director  
Division of Corporations and Commercial Code

# Utah Business Search - Details

## SUNNYSIDE COGENERATION ASSOCIATES

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**Entity Number:** 4911242-0150

**Company Type:** DBA

**Address:** ONE POWER PLANT RD PO BOX 159 Sunnyside, UT 84539

**State of Origin:**

**Registered Agent:** BRIAN W BURNETT

**Registered Agent Address:**

10 E SOUTH TEMPLE ST STE 900

Salt Lake City, UT 84133

### Status: Active

---

**Status:** Active  as of 04/24/2001

**Renew By:** 04/30/2013

**Status Description:** Good Standing

The "Good Standing" status represents that a renewal has been filed, within the most recent renewal period, with the Division of Corporations and Commercial Code.

**Employment Verification:** Not Registered with Verify Utah

### History

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**Registration Date:** 04/24/2001

**Last Renewed:** 02/25/2010

### Additional Information

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**NAICS Code:** 2211 **NAICS Title:** 2211-Electric Power Generation, Transmis

### Refine your search by:

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- Search by:
- Business Name
- Number
- Executive Name
- Search Hints

Name:

# Utah Business Search - Registered Principals

## Registered Principals

Name	Type	City	Status
SUNNYSIDE COGENERATION ASSOCIATES	DBA	Sunnyside	Active
Position	Name	Address	
Applicant	SUNNYSIDE HOLDINGS I, INC.	103 SPRINGER BUILDING	WILMINGTON DE 19810
Applicant	SUNNYSIDE II, LP	C/O CONTELLATION POWER	BALTIMORE MD 21202
Registered Agent	BRIAN W BURNETT	10 E SOUTH TEMPLE ST	Salt Lake City UT 84133
If you believe there may be more principals, click here to			

## Search by:

- Search by:
- Business Name
- Number
- Executive Name
- Search Hints

Name:



**Utah Department of Commerce**  
**Division of Corporations & Commercial Code**  
160 East 300 South, 2nd Floor, PO Box 146705  
Salt Lake City, UT 84114-6705  
Service Center: (801) 530-4849  
Toll Free: (877) 526-3994 Utah Residents  
Fax: (801) 530-6438  
Web Site: <http://www.commerce.utah.gov>

01/03/2013  
1215877-014301032013-2700738

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## CERTIFICATE OF EXISTENCE

**Registration Number:** 1215877-0143  
**Business Name:** SUNNYSIDE HOLDINGS I, INC.  
**Registered Date:** December 30, 1994  
**Entity Type:** Corporation - Foreign - Profit  
**Current Status:** Good Standing

The Division of Corporations and Commercial Code of the State of Utah, custodian of the records of business registrations, certifies that the business entity on this certificate is authorized to transact business and was duly registered under the laws of the State of Utah. The Division also certifies that this entity has paid all fees and penalties owed to this state; its most recent annual report has been filed by the Division (unless Delinquent); and, that Articles of Dissolution have not been filed.



Kathy Berg  
Director  
Division of Corporations and Commercial Code

# Utah Business Search - Details

## SUNNYSIDE HOLDINGS I, INC.

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**Entity Number:** 1215877-0143

**Company Type:** Corporation - Foreign - Profit

**Address:** 1105 N MARKET STREET STE 1300 WILMINGTON, DE 19801

**State of Origin:** DE

**Registered Agent:** C T CORPORATION SYSTEM

**Registered Agent Address:**

1108 E SOUTH UNION AVE

Midvale, UT 84047

## Status: Active

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**Status:** Active  as of 02/28/2011

**Renew By:** 12/31/2013

**Status Description:** Good Standing

The "Good Standing" status represents that a renewal has been filed, within the most recent renewal period, with the Division of Corporations and Commercial Code.

**Employment Verification:** Not Registered with Verify Utah

## History

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**Registration Date:** 12/30/1994

**Last Renewed:** 12/24/2012

## Additional Information

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**NAICS Code:** 5617 **NAICS Title:** 5617-Services to Buildings and Dwellings

## Doing Business As

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SUNNYSIDE COGENERATION ASSOCIATES

## Former Business Names

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NRG SUNNYSIDE INC.

## Refine your search by:

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- Search by:

- Business Name
- Number
- Executive Name
- Search Hints

Name:

# Utah Business Search - Registered Principals

## Registered Principals

Name	Type	City	Status
SUNNYSIDE HOLDINGS I, INC.	Corporation	WILMINGTON	Active
Position	Name	Address	
Registered Agent	C T CORPORATION SYSTEM	1108 E SOUTH UNION AVE	Midvale UT 84047
Director	ROBERT S MCLEESE	1105 N MARKET ST	WILMINGTON DE 19801
President	CHRIS L THOMPSON	1105 N MARKET STREET	WILMINGTON DE 19801
If you believe there may be more principals, click here to			

## Search by:

- Search by:
- Business Name
- Number
- Executive Name
- Search Hints

Name:



**Utah Department of Commerce**  
**Division of Corporations & Commercial Code**  
160 East 300 South, 2nd Floor, PO Box 146705  
Salt Lake City, UT 84114-6705  
Service Center: (801) 530-4849  
Toll Free: (877) 526-3994 Utah Residents  
Fax: (801) 530-6438  
Web Site: <http://www.commerce.utah.gov>

01/03/2013  
2113550-018101032013-3084380

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## CERTIFICATE OF EXISTENCE

**Registration Number:** 2113550-0181  
**Business Name:** SUNNYSIDE II, L.P.  
**Registered Date:** December 30, 1994  
**Entity Type:** Limited Partnership - Foreign  
**Current Status:** Good Standing

The Division of Corporations and Commercial Code of the State of Utah, custodian of the records of business registrations, certifies that the business entity on this certificate is authorized to transact business and was duly registered under the laws of the State of Utah. The Division also certifies that this entity has paid all fees and penalties owed to this state; its most recent annual report has been filed by the Division (unless Delinquent); and, that Articles of Dissolution have not been filed.



Kathy Berg  
Director  
Division of Corporations and Commercial Code

# Utah Business Search - Details

## SUNNYSIDE II, L.P.

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**Entity Number:** 2113550-0181

**Company Type:** Limited Partnership - Foreign

**Address:** 100 CONSTELLATION WAY STE 1700P BALTIMORE, MD 21202

**State of Origin:** DE

**Registered Agent:** CORPORATE CREATIONS NETWORK INC.

**Registered Agent Address:**

2825 EAST COTTONWOOD PARKWAY #500

Salt Lake City, UT 84121

## Status: Active

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**Status:** Active  as of 02/03/2012

**Renew By:** 12/31/2013

**Status Description:** Good Standing

The "Good Standing" status represents that a renewal has been filed, within the most recent renewal period, with the Division of Corporations and Commercial Code.

**Employment Verification:** Not Registered with Verify Utah

## History

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**Registration Date:** 12/30/1994

**Last Renewed:** 12/06/2012

## Additional Information

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**NAICS Code:** 5239 **NAICS Title:** 5239-Other Financial Investment Activiti

## Doing Business As

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SUNNYSIDE COGENERATION ASSOCIATES

## Former Business Names

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B&W SUNNYSIDE L.P.

## Refine your search by:

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- Search by:

# Utah Business Search - Registered Principals

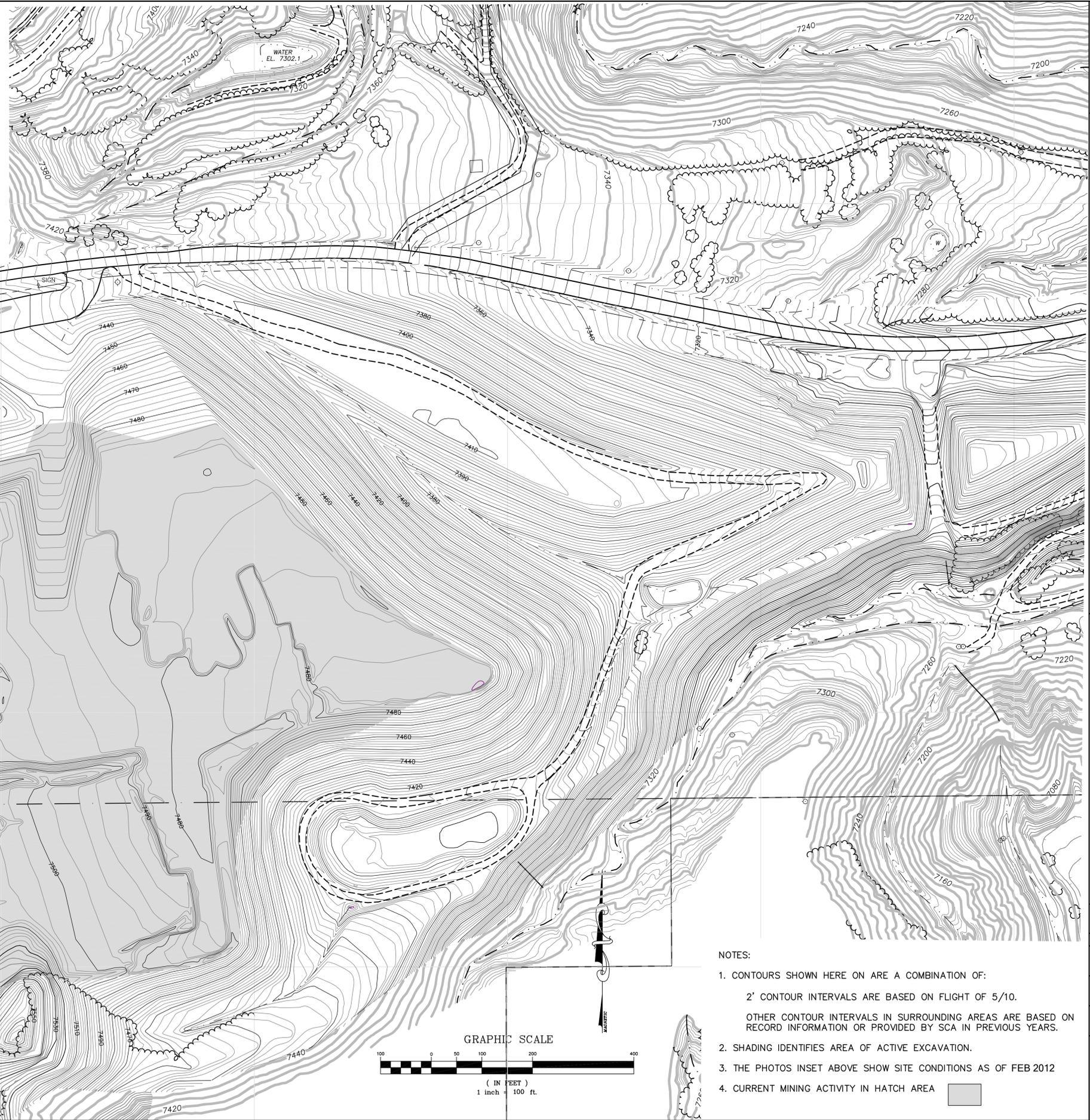
## Registered Principals

Name	Type	City	Status
SUNNYSIDE II, L.P.	Limited Partnership	BALTIMORE	Active
Position	Name	Address	
Registered Agent	CORPORATE CREATIONS NETWORK INC.	2825 EAST COTTONWOOD PARKWAY #500	Salt Lake City UT 84121
Partner	SUNNYSIDE II, INC.	750 E PRATT STREET 5TH FL	Baltimore MD 21202
If you believe there may be more principals, click here to			

## Search by:

- Search by:
- Business Name
- Number
- Executive Name
- Search Hints

Name:



- NOTES:
- CONTOURS SHOWN HERE ON ARE A COMBINATION OF:  
 2' CONTOUR INTERVALS ARE BASED ON FLIGHT OF 5/10.  
 OTHER CONTOUR INTERVALS IN SURROUNDING AREAS ARE BASED ON RECORD INFORMATION OR PROVIDED BY SCA IN PREVIOUS YEARS.
  - SHADING IDENTIFIES AREA OF ACTIVE EXCAVATION.
  - THE PHOTOS INSET ABOVE SHOW SITE CONDITIONS AS OF FEB 2012
  - CURRENT MINING ACTIVITY IN HATCH AREA

**SCA-STARPOINT WASTE FUEL  
 REFUSE PILE MINE MAP**  
 Carbon County, Utah

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

DWG DATE: MARCH 2013  
 PLOT DATE:

SHEET  
 1  
 OF 1

PLOTTED DATE: Thursday, 22 March 2012, 10:25am