

C/007/042 Incoming
#5497



Sunnyside Cogeneration Associates

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

November 21, 2017

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

RECEIVED
NOV 22 2017
DIV. OF OIL, GAS & MINING

RE: Sunnyside Cogeneration Associates (SCA)
Star Point Refuse, C/007/0042
Task #5497 – Clean Copies – Updated Corporate Information

Dear Mr. Haddock,

SCA is submitting the requested clean copies for permit amendment Task #5497, Star Point Refuse C/007/0042. The requested reclamation agreement documents are also included.

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

Sincerely,

Gerald Hascall / R.N.

Gerald Hascall
Agent for
Sunnyside Cogeneration Associates

cc: Rusty Netz
Plant Files

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change New Permit Renewal Exploration Bond Release Transfer

Permittee: SUNNYSIDE COGENERATION ASSOCIATES

Mine: STAR POINT WASTE FUEL

Permit Number:

C/007/042

Title: Update Corporate Information

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

Update permit Exhibit to represent current corporate information

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

11/21/17

Gerald Hascall / R.N.

Print Name

Position

Date

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

Subscribed and sworn to before me this 21 day of November, 2017

Notary Public: Amber Nichols, state of Utah.

My commission Expires: May 15, 2021

Commission Number: 694843

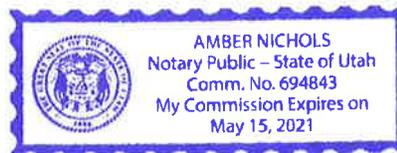
Address: #1 Powerplant Rd.

City: Sunnyside State: Ut Zip: 84539

} ss:

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For Office Use Only:

Assigned Tracking Number:

Received by Oil, Gas & Mining

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LIST OF EXHIBITS

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Exhibit 112.300, SCA Corporate Organization Chart and Corporate Officers and Directors.....	Page 100 - 4
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Exhibit 114.200a, Bill of Sale.....	Page 100 - 3
Exhibit 115.300a, County Road 290 Public Notice publication.....	Page 100 - 8
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Exhibit 117.100a, Certificate of Liability Insurance.....	Page 100 - 8
Exhibit 117.200a, Form for Advertisement of Application Filing.....	Page 100 - 8
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Exhibit 123.000a, Verification Statement.....	Page 100 - 9

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111.100-400. INTRODUCTION.

Sunnyside Cogeneration Associates (SCA) has acquired the Wattis Coal Refuse Pile located in Sage Brush Canyon. The refuse pile has accumulated from the disposal of coal mine waste from the underground coal mining operation at Star Point Mine, which has most recently been owned and operated by Cypress Plateau Mining Corporation (CPMC), a subsidiary of RAG American Coal Company. Cypress Plateau Mining Corporation has changed its name to Plateau Mining Corporation. All references to Cypress Plateau Mining Corporation or CPMC infer Plateau Mining Corporation or PMC.

The Star Point Mine is closed and CPMC has reclaimed much of the disturbed areas near the refuse pile. SCA has purchased certain properties and easements associated with the coal refuse pile along with a few surface facility buildings near the refuse pile. SCA, therefore, submitted this mining and reclamation plan and is the permittee for the mining activities on the property identified within the designated permit boundaries. An area, less than a quarter mile north of the refuse pile was used as subsoil storage area for the Refuse Pile Expansion Area. SCA acquired the rights to the soil and has designated this area as its reclamation Subsoil Area and has included it within the new permit boundary.

The SCA mining operation will consist of removing refuse material and hauling it for use in the SCA power cogeneration plant at Sunnyside, Utah. The refuse material will be used as an energy source to supplement its power generation. SCA's alternative energy project has been approved by the Federal Energy Regulatory Commission as a Qualifying Facility, based on the usage of refuse material as fuel in its fluidized-bed combustion boiler.

The Utah Division of Oil Gas and Mining (DOG M) considers the removal of the refuse pile as a Surface Coal Mining Operation and regulates as such under the provisions of Utah Administrative Code (UAC) R-645-301 "Coal Mine Permitting". However, many of the standard issues that generally apply to a surface coal mine will not apply to this operation since the pile is exposed and no stripping of any overlying strata or overburden is required.

Final reclamation is anticipated to begin upon the cessation of mining and excavation of the refuse pile. It is anticipated that the cessation of mining operations would occur after the refuse pile has been removed (with the exception of any reject coal mine waste or excess spoil which will have been placed in the proper disposal area). However, for the purpose of determining an estimated reclamation bond cost in accordance with the requirements of R-645-301-800, a second reclamation scenario is described which assumes that reclamation would begin under an assumed bond forfeiture condition under assumed conditions, which could exist at some time during the current permit term. In this plan, this scenario is called "Bonding Scenario Reclamation" while the actual anticipated reclamation is called "Final Reclamation".

This permit application is divided into eight sections per major code divisions covering: general conditions, soils, biology, land use and air quality, engineering, geology, hydrology, and bonding. The focus of this section of the permit application is general conditions, which is provided to meet the requirement of Section 100 of UAC R-645-301.

Consulting engineers preparing these permit documents have relied on data and maps from previous approved permits for Star Point Mines. This permit application has been revised to reflect the SCA - Star Point Permit Area.

The format followed is in compliance with State of Utah guidelines, which follow OSM prescribed format.

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.

112.200-210. Information Regarding the Applicant.

Additional information regarding the applicant may be obtained by contacting:

Plant Manager
Sunnyside Cogeneration Associates
Attn: Gerald Hascall
One Power Plant Road,
P.O. Box 159
Sunnyside, UT 84539
Phone: (435) 888-4476
Fax: (435) 888-2538

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

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

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112.230. Information Regarding Abandoned Mine Land Reclamation Fee.

A letter was sent to the Office of Surface Mining on June 6, 2003 requesting a no value/fee determination for the Starpoint Mine Coal Refuse Pile. A copy of this letter is included in Exhibit 112.230a.

On January 13, 2004, the Office of Surface Mining found that the Star Point material being burned in the waste coal fired small power production facility operated by Sunnyside Cogeneration Associates was not subject to reclamation fees. A copy of the January 13, 2004, letter is included in Exhibit 112.230a.

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. Exhibit 112.300 identifies the corporate organization chart and the corporate directors and officers of the parent companies to SCA.

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, except for the following, nor do they have any interest in any pending coal mine operation permit applications.

Sunnyside Cogeneration Associates
Sunnyside Refuse/Slurry
Permit # C/007/035

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112.500. Surface and Mineral Property.

The applicant, Bookcliff Properties, LLC, and the United States Bureau of Land Management (BLM) own surface properties within the permit area. SCA has purchased the waste coal pile located within the permit area pursuant to the Bill of Sale dated January 31, 2002 included in Exhibit 114.200a. The southern portion of the permit area, owned by the BLM, has been made available to SCA

as detailed in the Assignment and Assumption of Federal Right-of-Way included in Exhibit 114.100a. Plateau Mining Corporation owns the surface property where SCA's substitute topsoil pile is stored. There are no purchasers of record under a real estate contract for the property to be mined.

Right of Entry documents have been recorded that reflect interest in the property to be mined. These easements are reflected on the Star Point Permit Boundary that is shown in Exhibit 111.100a. Owners of contiguous property to the permit area are shown on the Star Point Permit Boundary shown in Exhibit 111.100a. A summary table of land classifications within the Permit Area is included in Exhibit 112.500a.

Plateau Mining has assumed responsibility for paying royalties associated with Star Point Waste Coal Pile.

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:

Bookcliff Properties, LLC
1723 W 1625 S
Price, UT 84501

United States Government
Bureau of Land
Management
Price, UT 84501

Carbon County
120 East Main Street
Price, Utah 84501

ConocoPhillips Company
3960 E 56th Ave
Commerce City, CO 80022

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112.700. MSHA Numbers.

The name of the mining operations for which this application is submitted is:
STAR POINT WASTE FUEL

Mine I.D. Number 42-02334

On January 28, 2004 SCA received a letter from MSHA officially abandoning the Coarse Refuse pile (formerly identified as ID No. 1211-UT-09-02334-01), see exhibit 513. MSHA Inspection and reporting requirements will be focused on the surface mining operation and will follow a semi-annual inspection frequency.

112.800. Applicants Interest in Contiguous Lands.

Exhibit 111.100a, shows ownership interests in lands contiguous to the permit area. The applicant has ownership interest, leasehold interest, options, and / or pending bids on some of these lands. The existing permit application is not limited to any future by-pass acquisitions, lease modifications, or areas designated in expressions of interest, or areas under investigation that are contiguous to the present permit application boundaries.

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Exhibit 112.300

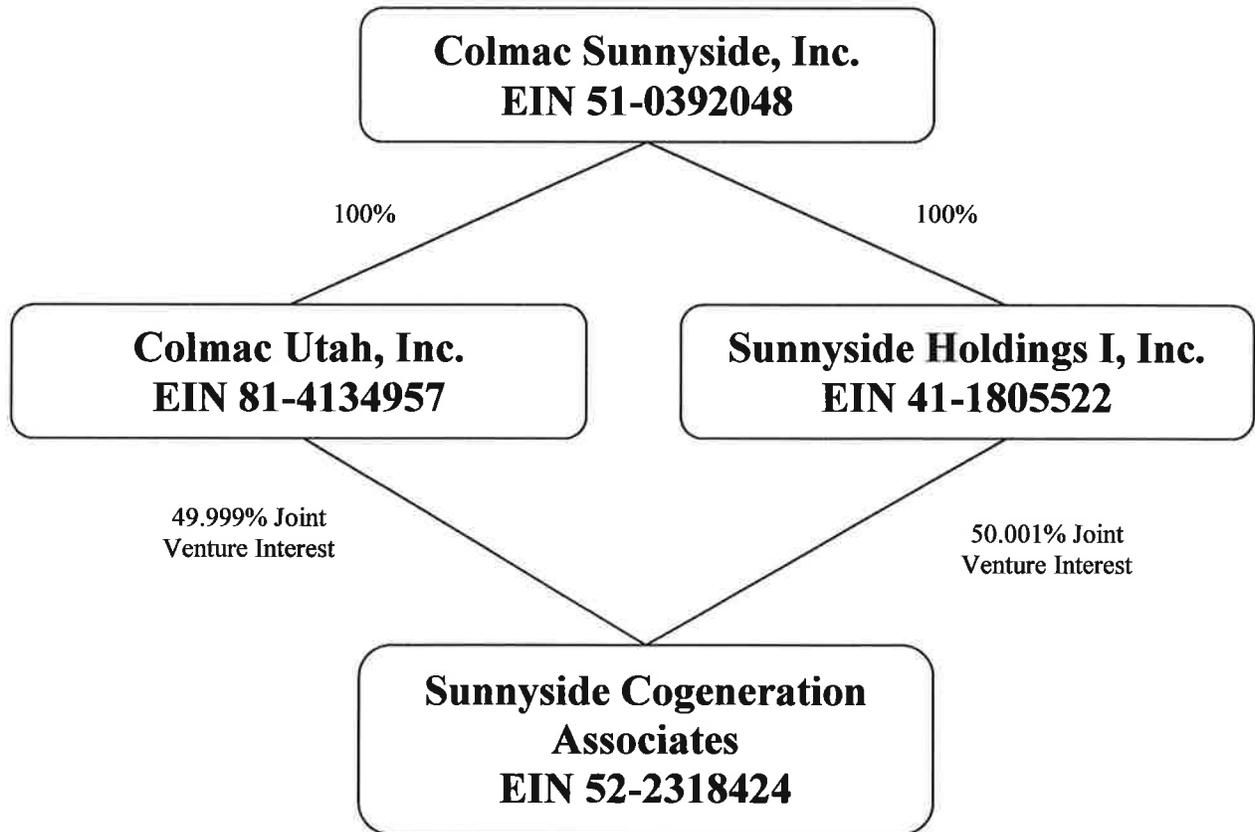
**SCA Corporate Organization Chart
and
Corporate Officers and Directors**

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Sunnyside Cogeneration Associates
Exhibit 112.300
Information Regarding "Owners" and "Controllers"
Permit No. C/007/042



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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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