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|---|-----------------------------------|------------------|---------|
| IMPOUNDMENT INSPECTION AND CERTIFIED REPORT | | Clear Water Pond | |
| Permit Number | ACT/007/035 | Report Date | 3/17/99 |
| Mine Name | SUNNYSIDE REFUSE AND SLURRY | | |
| Company Name | SUNNYSIDE COGENERATION ASSOCIATES | | |
| Impoundment Identification | Impoundment Name | Clear Water Pond | |
| | Impoundment Number | 004 | |
| | UPDES Permit Number | UT 024759 | |
| | MSHA ID Number | N/A | |

IMPOUNDMENT INSPECTION

| | | | |
|---|-------------------------------|--|--|
| Inspection Date | 3/17/99 | | |
| Inspected By | Scott Carlson | | |
| Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction) | First Quarter Inspection 1999 | | |

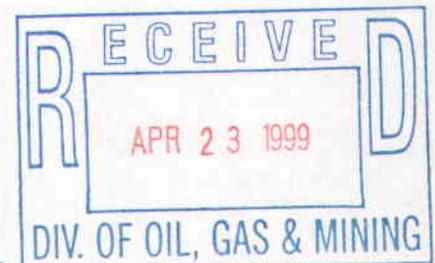
1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.

NONE

| | |
|--|--|
| Required for an impoundment which functions as a SEDIMENTATION POND. | 2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment. |
| | <p>Storage Capacity = 4.9 acre-feet Maximum Sediment Depth Elevation = 6527 Existing Sediment Elevation = 6523+-</p> |
| | 3. Principle and emergency spillway elevations. |
| | <p>Spillway Elevation = 6530.1</p> |

File in:
 Confidential
 Shelf
 Expandable

Refer to Record No 0011 Date 04/20/1999
In C10070035 1999 Incoming
For additional information



0011



Sunnyside Cogeneration Associates

COPY

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

April 20, 1999

Daron Haddock
STATE OF UTAH
Division of Oil, Gas & Mining
1594 W. North Temple, Suite 1210
P. O. Box 145801
Salt Lake City, Utah 84114-5801

RE: First Quarter 1999 Inspection Report

Dear Mr. Haddock:

ACT/007/035
#6 #7

Please find enclosed a copy of the First Quarter 1999 Inspection Report for Sunnyside Cogeneration Associates' impoundments, refuse pile and excess spoil area. The inspection was performed by a professional engineer from Psomas and Associates Engineering.

Should you have any questions, please me at (435)888-4476.

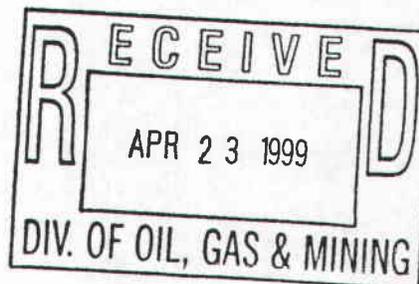
Sincerely,
Sunnyside Operations Associates, L. P.

Rusty Netz
Rusty Netz
Environmental Coordinator

Enclosure

c.c. Bill Malencik/Division of Oil, Gas & Mining
Gordon Strom, COSI
Doug Burnham/B&W Sunnyside, L.P. (w/o attachments)
Bob Evans/NRG Sunnyside, Inc. (w/o attachments)
Plant File

File in: *C/0070035/1999/Incoming*
Refer to:
 Confidential
 Shelf
 Expandable
Date: *4/20/99* For additional information



4. **Field Information.** Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on out slopes of embankments, etc.

No discharge, inlet/outlet conditions are good,
no structural or hazardous conditions exist.

5. **Field Evaluation.** Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

Pond was dry.

No structure or stability problems observed.

Reclamation of the Sunnyside Coal Property is currently underway. Among the facilities being reclaimed is the Slurry Ditch which connected to the SCA Properties. This ditch has been filled in near the SCA Property and is no longer a major storm water conveyance facility to the Slurry Ponds #1 and #2 or to the Clearwater Pond or to the East Slurry Cell. Watersheds which previously contributed to these ponds are no longer doing so.

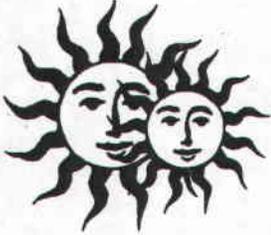
**Qualification
Statement**

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

Signature: _____

Scott Carlson

Date: 3/17/99



Sunnyside Cogeneration Associates

COPY

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

April 20, 1999

Daron Haddock
STATE OF UTAH
Division of Oil, Gas & Mining
1594 W. North Temple, Suite 1210
P. O. Box 145801
Salt Lake City, Utah 84114-5801

RE: First Quarter 1999 Inspection Report

Dear Mr. Haddock:

Please find enclosed a copy of the First Quarter 1999 Inspection Report for Sunnyside Cogeneration Associates' impoundments, refuse pile and excess spoil area. The inspection was performed by a professional engineer from Psomas and Associates Engineering.

ACT/007/035 #6 #7

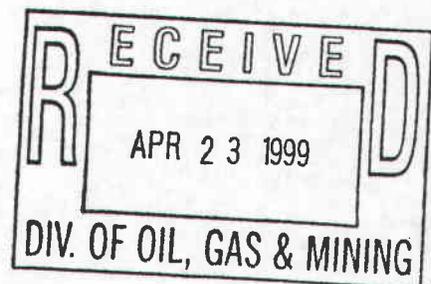
Should you have any questions, please me at (435)888-4476.

Sincerely,
Sunnyside Operations Associates, L. P.
Rusty Netz
Rusty Netz
Environmental Coordinator

Enclosure

c.c. Bill Malencik/Division of Oil, Gas & Mining
Gordon Strom, COSI
Doug Burnham/B&W Sunnyside, L.P. (w/o attachments)
Bob Evans/NRG Sunnyside, Inc. (w/o attachments)
Plant File

File in: *C10070035 1999 Incoming*
Refer to:
 Confidential
 Shelf
 Expandable
Date *4/20/99* for additional information



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|---|------------------|--|
| IMPOUNDMENT INSPECTION AND CERTIFIED REPORT | Clear Water Pond | |
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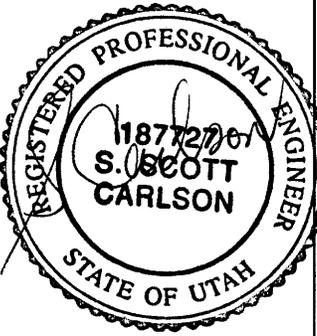
CERTIFIED REPORT

| IMPOUNDMENT EVALUATION (If NO, explain under Comments) | YES | NO |
|--|-----|----|
| 1. Is impoundment designed and constructed in accordance with the approved plan? | yes | |
| 2. Is impoundment free of instability, structural weakness, or any other hazardous condition? | yes | |
| 3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? | yes | |

COMMENTS AND OTHER INFORMATION

None

Certification Statement:



I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson Project Manager
 (Full Name and Title)

Signature: *S. Scott Carlson* Date: 3/17/99

P.E. Number & State: 187727 UT

| | | | |
|---|--|-----------------------|--|
| IMPOUNDMENT INSPECTION AND CERTIFIED REPORT | | Railcut Pond | |
| Permit Number | ACT/007/035 | Report Date 3/17/99 | |
| Mine Name | SUNNYSIDE REFUSE AND SLURRY | | |
| Company Name | SUNNYSIDE COGENERATION ASSOCIATES | | |
| Impoundment Identification | Impoundment Name | Railcut Sediment Pond | |
| | Impoundment Number | 007 | |
| | UPDES Permit Number | UT 024759 | |
| | MSHA ID Number | N/A | |
| IMPOUNDMENT INSPECTION | | | |
| Inspection Date | 3/17/99 | | |
| Inspected By | Scott Carlson | | |
| Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction) | First Quarter Inspection 1999 | | |
| <p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>NONE</p> | | | |
| Required for an impoundment which functions as a SEDIMENTATION POND. | <p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Storage Capacity = 4.8 acre-feet Maximum Sediment Depth Elevation = 6207.7 Estimated Existing Sediment Elevation = 6207+-</p> | | |
| | <p>3. Principle and emergency spillway elevations.</p> <p>Spillway Elevation = 6212.34 Primary Drain Elevation = 6209.07</p> | | |

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| IMPOUNDMENT INSPECTION AND CERTIFIED REPORT | Railcut Pond | |
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CERTIFIED REPORT

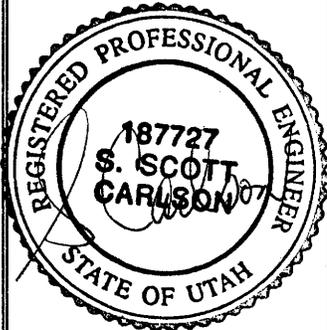
| IMPOUNDMENT EVALUATION (If NO, explain under Comments) | YES | NO |
|--|-----|----|
| 1. Is impoundment designed and constructed in accordance with the approved plan? | yes | |
| 2. Is impoundment free of instability, structural weakness, or any other hazardous condition? | yes | |
| 3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? | yes | |

COMMENTS AND OTHER INFORMATION

None

Certification Statement:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.



By: S. Scott Carlson, P.E. Project Manager

Signature: *S. Scott Carlson* Date: 3/17/99

P.E. Number & State: 187727 - UT

| | | | |
|---|---|--------------------------------------|---------|
| IMPOUNDMENT INSPECTION AND CERTIFIED REPORT | | OCRR Pond | |
| Permit Number | ACT/007/035 | Report Date | 3/17/99 |
| Mine Name | SUNNYSIDE REFUSE AND SLURRY | | |
| Company Name | SUNNYSIDE COGENERATION ASSOCIATES | | |
| Impoundment Identification | Impoundment Name | Old Coarse Refuse Road Sediment Pond | |
| | Impoundment Number | 008 | |
| | UPDES Permit Number | UT 024759 | |
| | MSHA ID Number | N/A | |
| IMPOUNDMENT INSPECTION | | | |
| Inspection Date | 3/17/99 | | |
| Inspected By | Scott Carlson | | |
| Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction) | First Quarter Inspection 1999 | | |
| <p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>NONE</p> | | | |
| Required for an impoundment which functions as a SEDIMENTATION POND | <p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Storage Capacity = 0.9 acre-feet Maximum Sediment Depth Elevation = 6394.75 Estimated Existing Sediment Elevation = 6394+-</p> | | |
| | <p>3. Principle and emergency spillway elevations.</p> <p>Spillway Elevation = 6399.4 Primary Drain Elevation = 6395.75</p> | | |

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| IMPOUNDMENT INSPECTION AND CERTIFIED REPORT | OCRR Pond | |
|---|-----------|--|

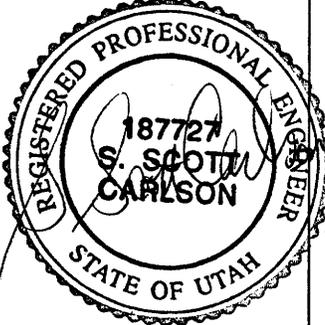
CERTIFIED REPORT

| IMPOUNDMENT EVALUATION (If NO, explain under Comments) | YES | NO |
|--|-----|----|
| 1. Is impoundment designed and constructed in accordance with the approved plan? | yes | |
| 2. Is impoundment free of instability, structural weakness, or any other hazardous condition? | yes | |
| 3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? | yes | |

COMMENTS AND OTHER INFORMATION

none

Certification Statement:



I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, P.E. Project Manager

Signature: *S. Scott Carlson* Date: 3/17/99

P.E. Number & State: 187727 - UT

| | | | |
|---|--|-----------------------|---------|
| IMPOUNDMENT INSPECTION AND CERTIFIED REPORT | | Pasture Pond | |
| Permit Number | ACT/007/035 | Report Date | 3/17/99 |
| Mine Name | SUNNYSIDE REFUSE AND SLURRY | | |
| Company Name | SUNNYSIDE COGENERATION ASSOCIATES | | |
| Impoundment Identification | Impoundment Name | Pasture Sediment Pond | |
| | Impoundment Number | 009 | |
| | UPDES Permit Number | UT 024759 | |
| | MSHA ID Number | N/A | |
| IMPOUNDMENT INSPECTION | | | |
| Inspection Date | 3/17/99 | | |
| Inspected By | Scott Carlson | | |
| Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction) | First Quarter Inspection 1999 | | |
| <p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>NONE</p> | | | |
| Required for an impoundment which functions as a SEDIMENTATION POND | <p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Storage Capacity = 1.0 acre-feet Maximum Sediment Depth Elevation = 6485.5 Estimated Existing Sediment Elevation = 6484+-</p> | | |
| | <p>3. Principle and emergency spillway elevations.</p> <p>Spillway Elevation = 6490.6 Primary Drain Elevation = 6486.6</p> | | |

4. **Field Information.** Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.

Pond had very little water in it.
 No discharge, inlet/outlet conditions are good,
 No structural or hazardous conditions exist.

5. **Field Evaluation.** Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

No changes. No structure or stability problems observed.

Qualification Statement

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

Signature: Scott Carlson

Date: 3/17/99

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|---|--------------|--|
| IMPOUNDMENT INSPECTION AND CERTIFIED REPORT | Pasture Pond | |
|---|--------------|--|

CERTIFIED REPORT

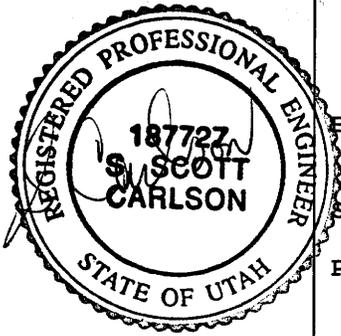
| IMPOUNDMENT EVALUATION (If NO, explain under Comments) | YES | NO |
|--|-----|----|
| 1. Is impoundment designed and constructed in accordance with the approved plan? | yes | |
| 2. Is impoundment free of instability, structural weakness, or any other hazardous condition? | yes | |
| 3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? | yes | |

COMMENTS AND OTHER INFORMATION

none

Certification Statement:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.



By: S. Scott Carlson - Project Manager

Signature: *S. Scott Carlson* Date: 3/17/99

P.E. Number & State: 187727 - UT

| | | | |
|---|--|-------------------------------------|---------|
| IMPOUNDMENT INSPECTION AND CERTIFIED REPORT | | CRT Pond | |
| Permit Number | ACT/007/035 | Report Date | 3/17/99 |
| Mine Name | SUNNYSIDE REFUSE AND SLURRY | | |
| Company Name | SUNNYSIDE COGENERATION ASSOCIATES | | |
| Impoundment Identification | Impoundment Name | New Coarse Refuse Toe Sediment Pond | |
| | Impoundment Number | 012 | |
| | UPDES Permit Number | UT 024759 | |
| | MSHA ID Number | N/A | |
| IMPOUNDMENT INSPECTION | | | |
| Inspection Date | 3/17/99 | | |
| Inspected By | Scott Carlson | | |
| Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction) | First Quarter Inspection 1999 | | |
| <p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>NONE</p> | | | |
| Required for an impoundment which functions as a SEDIMENTATION POND | <p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Storage Capacity = 1.6 acre-feet Maximum Sediment Depth Elevation = 6177.0 Estimated Existing Sediment Elevation = 6176+-</p> | | |
| | <p>3. Principle and emergency spillway elevations.</p> <p>Spillway Elevation = 6183.63 Primary Drain Elevation = 6178.2</p> | | |

4. **Field Information.** Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.

Pond was dry.
No discharge, inlet/outlet conditions are good,
No structural or hazardous conditions exist.

5. **Field Evaluation.** Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

No changes. No structure or stability problems observed.

**Qualification
Statement**

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

Signature: _____

S. Scott Carlson

Date: 3/17/99

| | | |
|---|----------|--|
| IMPOUNDMENT INSPECTION AND CERTIFIED REPORT | CRT Pond | |
|---|----------|--|

CERTIFIED REPORT

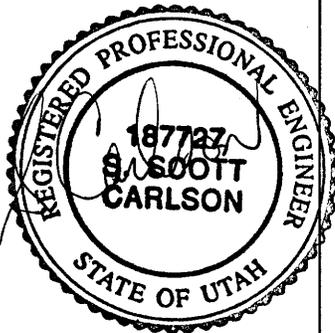
| IMPOUNDMENT EVALUATION (If NO, explain under Comments) | YES | NO |
|--|-----|----|
| 1. Is impoundment designed and constructed in accordance with the approved plan? | yes | |
| 2. Is impoundment free of instability, structural weakness, or any other hazardous condition? | yes | |
| 3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? | yes | |

COMMENTS AND OTHER INFORMATION

None

Certification Statement:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.



By: S. Scott Carlson - Project Manager

Signature: *Scott Carlson* Date: 3/17/99

P.E. Number & State: 187727 - UT

| | | | |
|---|---|---------------------------|---------|
| IMPOUNDMENT INSPECTION AND CERTIFIED REPORT | | COAL RUNOFF POND | |
| Permit Number | ACT/007/035 | Report Date | 3/17/99 |
| Mine Name | SUNNYSIDE REFUSE AND SLURRY | | |
| Company Name | SUNNYSIDE COGENERATION ASSOCIATES | | |
| Impoundment Identification | Impoundment Name | Coal Runoff Sediment Pond | |
| | Impoundment Number | 014 | |
| | UPDES Permit Number | UT 024759 | |
| | MSHA ID Number | N/A | |
| IMPOUNDMENT INSPECTION | | | |
| Inspection Date | 3/17/99 | | |
| Inspected By | Scott Carlson | | |
| Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction) | First Quarter Inspection 1999 | | |
| <p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>NONE</p> | | | |
| Required for an impoundment which functions as a SEDIMENTATION POND | <p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Storage Capacity = 1.5 acre feet Maximum Sediment Depth Elevation = 6476.0 Estimated Existing Sediment Elevation = 6474±</p> | | |
| | <p>3. Principle and emergency spillway elevations.</p> <p>Spillway Elevation = 6477.9 Emergency Spillway Elevation = 6479.0</p> | | |

4. **Field Information.** Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.

Pond had very little water in it.
No discharge, inlet and outlet conditions are good.
No structural or hazardous conditions exist.

5. **Field Evaluation.** Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

No changes.
No structure or stability problems observed.

**Qualification
Statement**

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

Signature: _____

J. Scott Carlson

Date: 3/17/99

| | | |
|---|------------------|--|
| IMPOUNDMENT INSPECTION AND CERTIFIED REPORT | COAL RUNOFF POND | |
|---|------------------|--|

CERTIFIED REPORT

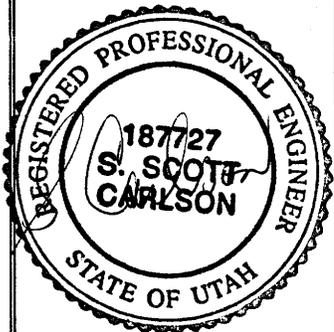
| IMPOUNDMENT EVALUATION (If NO, explain under Comments) | YES | NO |
|--|-----|----|
| 1. Is impoundment designed and constructed in accordance with the approved plan? | yes | |
| 2. Is impoundment free of instability, structural weakness, or any other hazardous condition? | yes | |
| 3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? | yes | |

COMMENTS AND OTHER INFORMATION

None

Certification Statement:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.



By: S. Scott Carlson - Project Manager
(Full Name and Title)

Signature: *S. Scott Carlson* Date: 3/17/99

P.E. Number & State: 187727 - UT

| | | | |
|---|--|------------------|---------|
| IMPOUNDMENT INSPECTION AND CERTIFIED REPORT | | Borrow Area Pond | |
| Permit Number | ACT/007/035 | Report Date | 3/17/99 |
| Mine Name | SUNNYSIDE REFUSE AND SLURRY | | |
| Company Name | SUNNYSIDE COGENERATION ASSOCIATES | | |
| Impoundment Identification | Impoundment Name | Borrow Area Pond | |
| | Impoundment Number | 016 | |
| | UPDES Permit Number | UT 024759 | |
| | MSHA ID Number | N/A | |
| IMPOUNDMENT INSPECTION | | | |
| Inspection Date | 3/17/99 | | |
| Inspected By | Scott Carlson | | |
| Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction) | First Quarter Inspection 1999 | | |
| <p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>NONE</p> | | | |
| Required for an impoundment which functions as a SEDIMENTATION POND | <p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Storage Capacity = 8.3 acre-feet Maximum Sediment Depth Elevation = 6513.3 Estimated Existing Sediment Elevation = 6511+-</p> | | |
| | <p>3. Principle and emergency spillway elevations.</p> <p>Spillway Elevation = 6517.03 Primary Drain Elevation = 6514.3</p> | | |

4. **Field Information.** Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.

Pond was dry
No discharge, inlet/outlet conditions are good,
No structural or hazardous conditions exist.

5. **Field Evaluation.** Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

No changes.
No structure or stability problems observed.

**Qualification
Statement**

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

Signature: _____

Scott Carlson

Date: 3/17/99

| | | |
|---|------------------|--|
| IMPOUNDMENT INSPECTION AND CERTIFIED REPORT | Borrow Area Pond | |
|---|------------------|--|

CERTIFIED REPORT

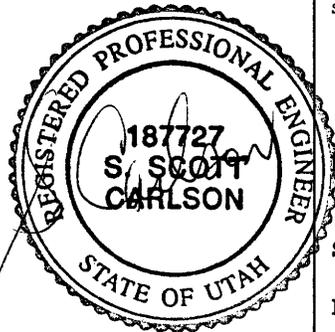
| IMPOUNDMENT EVALUATION (If NO, explain under Comments) | YES | NO |
|--|-----|----|
| 1. Is impoundment designed and constructed in accordance with the approved plan? | yes | |
| 2. Is impoundment free of instability, structural weakness, or any other hazardous condition? | yes | |
| 3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? | yes | |

COMMENTS AND OTHER INFORMATION

none

Certification Statement:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.



By: S. Scott Carlson, P.E. Project Manager

Signature: *S. Scott Carlson* Date: 3/17/99

P.E. Number & State: 187727 Utah

| | | | |
|---|--|-------------------------------|---------|
| IMPOUNDMENT INSPECTION AND CERTIFIED REPORT | | Slurry Pond #1 | |
| Permit Number | ACT/007/035 | Report Date | 3/17/99 |
| Mine Name | SUNNYSIDE REFUSE AND SLURRY | | |
| Company Name | SUNNYSIDE COGENERATION ASSOCIATES | | |
| Impoundment Identification | Impoundment Name | Slurry Pond #1 | |
| | Impoundment Number | N/A | |
| | UPDES Permit Number | N/A | |
| | MSHA ID Number | N/A | |
| IMPOUNDMENT INSPECTION | | | |
| Inspection Date | 3/17/99 | | |
| Inspected By | Scott Carlson | | |
| Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction) | | First Quarter Inspection 1999 | |
| <p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>NONE</p> | | | |
| Required for an impoundment which functions as a SEDIMENTATION POND | <p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Storage Capacity = 16.4 acre-feet Maximum Sediment Depth Elevation = 6537.5 Estimated Existing Sediment Elevation = N/A</p> | | |
| | <p>3. Principle and emergency spillway elevations.</p> <p>Top of Dike Elevation = 6540.8</p> | | |

4. **Field Information.** Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.

Pond was dry.

No discharge, inlet/outlet conditions are good,

No structural or hazardous conditions exist.

5. **Field Evaluation.** Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

Slurry Pond is inactive, does not receive slurry from any source

No changes. No structure or stability problems observed.

Reclamation of the Sunnyside Coal Property is currently underway. Among the facilities being reclaimed is the Slurry Ditch which connected to the SCA Properties. This ditch has been filled in near the SCA Property and is no longer a major storm water conveyance facility to the Slurry Ponds #1 and #2 or to the Clearwater Pond or to the East Slurry Cell. Watersheds which previously contributed to these ponds are no longer doing so.

**Qualification
Statement**

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

Signature: _____

Scott Carlson

Date: 3/17/99

| | | |
|---|----------------|--|
| IMPOUNDMENT INSPECTION AND CERTIFIED REPORT | Slurry Pond #1 | |
|---|----------------|--|

CERTIFIED REPORT

| IMPOUNDMENT EVALUATION (If NO, explain under Comments) | YES | NO |
|--|-----|----|
| 1. Is impoundment designed and constructed in accordance with the approved plan? | yes | |
| 2. Is impoundment free of instability, structural weakness, or any other hazardous condition? | yes | |
| 3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? | yes | |

COMMENTS AND OTHER INFORMATION

Both Slurry Pond #1 and Slurry Pond #2 have been approved to be filled with coal mine waste and excess spoil in connection with construction of the Excess Spoil Disposal Area # 2.

The Clearwater Pond is also part of this disposal area but will continue to function as a sediment pond until such time as it is needed as a disposal site.

When the ponds become reconfigured for use as a disposal site, we will no longer inspect them as impoundments but rather as an excess spoil pile.

Certification Statement:



I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson - Project Manager
(Full Name and Title)

Signature: *S. Scott Carlson* Date: 3/17/99

P.E. Number & State: 187727 UT

| | | | |
|---|--|----------------|---------|
| IMPOUNDMENT INSPECTION AND CERTIFIED REPORT | | Slurry Pond #2 | |
| Permit Number | ACT/007/035 | Report Date | 3/17/99 |
| Mine Name | SUNNYSIDE REFUSE AND SLURRY | | |
| Company Name | SUNNYSIDE COGENERATION ASSOCIATES | | |
| Impoundment Identification | Impoundment Name | Slurry Pond #2 | |
| | Impoundment Number | N/A | |
| | UPDES Permit Number | N/A | |
| | MSHA ID Number | N/A | |
| IMPOUNDMENT INSPECTION | | | |
| Inspection Date | 3/17/99 | | |
| Inspected By | Scott Carlson | | |
| Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction) | First Quarter Inspection 1999 | | |
| <p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>NONE</p> | | | |
| Required for an impoundment which functions as a SEDIMENTATION POND | <p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Storage Capacity = 15.3 acre-feet Maximum Sediment Depth Elevation = 6537.5 Estimated Existing Sediment Elevation = N/A</p> | | |
| | <p>3. Principle and emergency spillway elevations.</p> <p>Top Of Dike Elevation = 6540.1</p> | | |

4. **Field Information.** Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.

Pond was dry.
 No discharge, inlet/outlet conditions are good,
 No structural or hazardous conditions exist.

5. **Field Evaluation.** Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

Slurry Pond is inactive, does not receive slurry from any source.
 No changes. No structure or stability problems observed.
 Reclamation of the Sunnyside Coal Property is currently underway. Among the facilities being reclaimed is the Slurry Ditch which connected to the SCA Properties. This ditch has been filled in near the SCA Property and is no longer a major storm water conveyance facility to the Slurry Ponds #1 and #2 or to the Clearwater Pond or to the East Slurry Cell. Watersheds which previously contributed to these ponds are no longer doing so.

Qualification Statement

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

Signature: *Scott Carlson*

Date: 3/17/99

| | | |
|--|---|----|
| IMPOUNDMENT INSPECTION AND CERTIFIED REPORT | Slurry Pond #2 | |
| CERTIFIED REPORT | | |
| IMPOUNDMENT EVALUATION (If NO, explain under Comments) | YES | NO |
| 1. Is impoundment designed and constructed in accordance with the approved plan? | yes | |
| 2. Is impoundment free of instability, structural weakness, or any other hazardous condition? | yes | |
| 3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? | yes | |
| COMMENTS AND OTHER INFORMATION | | |
| <p>Both Slurry Pond #1 and Slurry Pond #2 have been approved to be filled with coal mine waste and excess spoil in connection with construction of the Excess Spoil Disposal Area # 2.</p> <p>The Clearwater Pond is also part of this disposal area but will continue to function as a sediment pond until such time as it is needed as a disposal site.</p> <p>When the ponds become reconfigured for use as a disposal site, we will no longer inspect them as impoundments but rather as an excess spoil pile.</p> | | |
| Certification Statement:  | <p>I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.</p> <p>By: <u>S. Scott Carlson - Project Manager</u> (Full Name and Title)</p> <p>Signature: <u><i>S. Scott Carlson</i></u> Date: <u>3/17/99</u></p> <p>P.E. Number & State: <u>187727 - UT</u></p> | |

| | | |
|---|---|--|
| INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE | | Coarse Refuse Pile |
| Permit Number | ACT/007/035 | Report Date 3/17/99 |
| Mine Name | SUNNYSIDE REFUSE AND SLURRY | |
| Company Name | SUNNYSIDE COGENERATION ASSOCIATES | |
| Excess Spoil Pile or Refuse Pile Identification | File Name: | Coarse Refuse Pile |
| | File Number | N/A |
| | MSHA ID Number | 1211-UT-09-02093-01 |
| Inspection Date | 3/17/99 | |
| Inspected By | Scott Carlson | |
| Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction) | | First Quarter Inspection 1999 |
| | | Attachments to Report? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes |
| Field Evaluation | | |
| 1. | Foundation preparation, including the removal of all organic material and topsoil. N/A | |
| 2. | Placement of underdrains and protective filter systems. N/A | |
| 3. | Installation of final surface drainage systems. N/A | |
| 4. | Placement and compaction of fill materials. N/A Removal of Coarse and fine Refuse Material Only | |

5. Final grading and revegetation of fill.

N/A

6. Appearances of instability, structural weakness, and other hazardous conditions.

None

7. Other Comments. Describe any changes in the geometry of the Excess Spoil/Refuse Pile structure, instrumentation, average and maximum lifts of materials placed in the pile, elevations of active benches, total and remaining storage capacity of the structure, evidence of fires in the pile and abatement of such fires, volumes of materials placed in the structure during the year, and any other aspect of the structure affecting its stability or function which has occurred during the reporting period.

Waste Coal Removal
No Smokers Visible

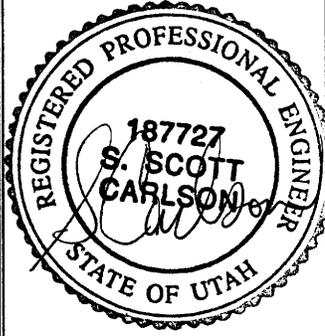
Certification Statement

I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

By: S. Scott Carlson - Project Manager
(Full Name and Title)

Signature: *S. Scott Carlson* Date: 3/17/99

P.E. Number & State: 187727 - UT



| | | | |
|---|---|---------------------|---------|
| IMPOUNDMENT INSPECTION AND CERTIFIED REPORT | | East Slurry Cell | |
| Permit Number | ACT/007/035 | Report Date | 3/17/99 |
| Mine Name | SUNNYSIDE REFUSE AND SLURRY | | |
| Company Name | SUNNYSIDE COGENERATION ASSOCIATES | | |
| Impoundment Identification | Impoundment Name | East Slurry Cell | |
| | Impoundment Number | N/A | |
| | UPDES Permit Number | N/A | |
| | MSHA ID Number | 1211-UT-09-02093-02 | |
| IMPOUNDMENT INSPECTION | | | |
| Inspection Date | 3/17/99 | | |
| Inspected By | Scott Carlson | | |
| Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction) | First Quarter Inspection 1999 | | |
| <p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>NONE</p> | | | |
| Required for an impoundment which functions as a SEDIMENTATION POND | <p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Storage Capacity = 27+- acre-feet Maximum Sediment Depth Elevation = N/A Estimated Existing Sediment Elevation = N/A</p> | | |
| | <p>3. Principle and emergency spillway elevations.</p> <p>N/A</p> | | |

4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on out slopes of embankments, etc.

Pond surface was dry.
No structural or hazardous conditions exist.

5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

Slurry Cell is not receiving slurry from any source, currently functioning as a sediment pond. No structural or stability problems observed. Reclamation of the Sunnyside Coal Property is currently underway. Among the facilities being reclaimed is the Slurry Ditch which connected to the SCA Properties. This ditch has been filled in near the SCA Property and is no longer a major storm water conveyance facility to the Slurry Ponds #1 and #2 or to the Clearwater Pond or to the East Slurry Cell. Watersheds which previously contributed to these ponds are no longer doing so.

Qualification Statement

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

Signature: _____

S. Scott Carlson

Date: 3/17/99

| | | |
|---|------------------|--|
| IMPOUNDMENT INSPECTION AND CERTIFIED REPORT | East Slurry Cell | |
|---|------------------|--|

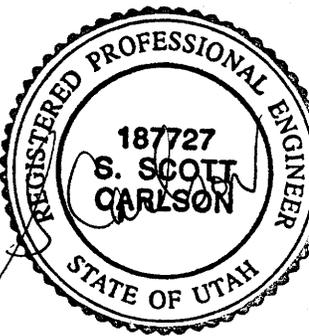
CERTIFIED REPORT

| IMPOUNDMENT EVALUATION (If NO, explain under Comments) | YES | NO |
|--|-----|----|
| 1. Is impoundment designed and constructed in accordance with the approved plan? | yes | |
| 2. Is impoundment free of instability, structural weakness, or any other hazardous condition? | yes | |
| 3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? | yes | |

COMMENTS AND OTHER INFORMATION

none

Certification Statement:



I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson - Project Manager
(Full Name and Title)

Signature: *S. Scott Carlson* Date: 3/17/99

P.E. Number & State: 187727 - UT

| | | | |
|---|--|---------------------|---------|
| IMPOUNDMENT INSPECTION AND CERTIFIED REPORT | | West Cell | |
| Permit Number | ACT/007/035 | Report Date | 3/17/99 |
| Mine Name | SUNNYSIDE REFUSE AND SLURRY | | |
| Company Name | SUNNYSIDE COGENERATION ASSOCIATES | | |
| Impoundment Identification | Impoundment Name | West Slurry Cell | |
| | Impoundment Number | N/A | |
| | UPDES Permit Number | N/A | |
| | MSHA ID Number | 1211-UT-09-02093-03 | |
| IMPOUNDMENT INSPECTION | | | |
| Inspection Date | 3/17/99 | | |
| Inspected By | Scott Carlson | | |
| Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction) | First Quarter Inspection 1999 | | |
| <p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>NONE</p> | | | |
| Required for an impoundment which functions as a SEDIMENTATION POND | <p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Storage Capacity = N/A Maximum Sediment Depth Elevation = N/A Estimated Existing Sediment Elevation = N/A</p> | | |
| | <p>3. Principle and emergency spillway elevations.</p> <p>N/A</p> | | |

4. **Field Information.** Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.

Slurry Cell is Inactive
Refuse Removal
No structural or hazardous conditions exist.

5. **Field Evaluation.** Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

Slurry Cell is not receiving slurry from any source
No structure or stability problems observed.

**Qualification
Statement**

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

Signature: _____

S. Scott Carlson

Date: 3/17/99

| | | |
|---|-----------|--|
| IMPOUNDMENT INSPECTION AND CERTIFIED REPORT | West Cell | |
|---|-----------|--|

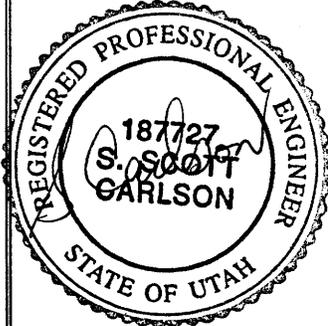
CERTIFIED REPORT

| IMPOUNDMENT EVALUATION (If NO, explain under Comments) | YES | NO |
|--|-----|----|
| 1. Is impoundment designed and constructed in accordance with the approved plan? | yes | |
| 2. Is impoundment free of instability, structural weakness, or any other hazardous condition? | yes | |
| 3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? | yes | |

COMMENTS AND OTHER INFORMATION

none

Certification Statement:



I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson - Project Manager
(Full Name and Title)

Signature: *S. Scott Carlson* Date: 3/17/99

P.E. Number & State: 187727 UT

| | | | |
|---|-----------------------------------|--|--|
| INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE | | Excess Spoil Pile #1 | |
| Permit Number | ACT/007/035 | Report Date 3/17/99 | |
| Mine Name | SUNNYSIDE REFUSE AND SLURRY | | |
| Company Name | SUNNYSIDE COGENERATION ASSOCIATES | | |
| Excess Spoil Pile or Refuse Pile Identification | Pile Name: | Excess Spoil Disposal Area #1 | |
| | Pile Number | N/A | |
| | MSHA ID Number | 1211-UT-09-02093-04 | |
| Inspection Date | 3/17/99 | | |
| Inspected By | Scott Carlson | | |
| Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction) | | First Quarter Inspection 1999 | |
| | | Attachments to Report? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes | |
| Field Evaluation | | | |
| 1. Foundation preparation, including the removal of all organic material and topsoil. | | | |
| N/A | | | |
| 2. Placement of underdrains and protective filter systems. | | | |
| N/A | | | |
| 3. Installation of final surface drainage systems. | | | |
| N/A | | | |
| 4. Placement and compaction of fill materials. | | | |
| Received approximately 150 yards of spoils materials during this Quarter. | | | |

5. Final grading and revegetation of fill.

N/A

6. Appearances of instability, structural weakness, and other hazardous conditions.

None

7. Other Comments. Describe any changes in the geometry of the Excess Spoil/Refuse Pile structure, instrumentation, average and maximum lifts of materials placed in the pile, elevations of active benches, total and remaining storage capacity of the structure, evidence of fires in the pile and abatement of such fires, volumes of materials placed in the structure during the year, and any other aspect of the structure affecting its stability or function which has occurred during the reporting period.

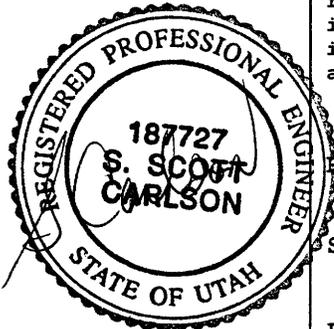
Construction has been proceeding in shallow lifts in general conformance with the approved plan.

No evidence exists of fires in the pile.

Three samples of the spoil material were analyzed according to the parameters listed in the permit during the 1st Quarter 1999 to determine suitability of the placed material for reclamation purposes. The attached map identifies the approximate location and elevation where these samples were taken. The laboratory test results for these samples are also attached and summarized. Sample "Spoils East" is unacceptable for reclamation cover due to an acid/base potential slightly below the required limit. Sample "Spoils Center" is unacceptable due to acid/base potential and Selenium content. Sample "Spoils West" meets all requirements for reclamation cover.

Certification Statement

I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.



By: S. Scott Carlson - Project Manager
(Full Name and Title)

Signature: _____

S. Scott Carlson

Date: 3/17/99

P.E. Number & State: 187727 - UT

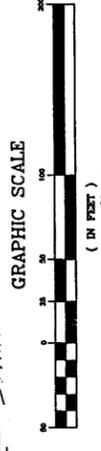
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1

P S O M A S

266 E. Cottonwood Parkway
Suite 100
Salt Lake City, UT 84121
801.279.5777

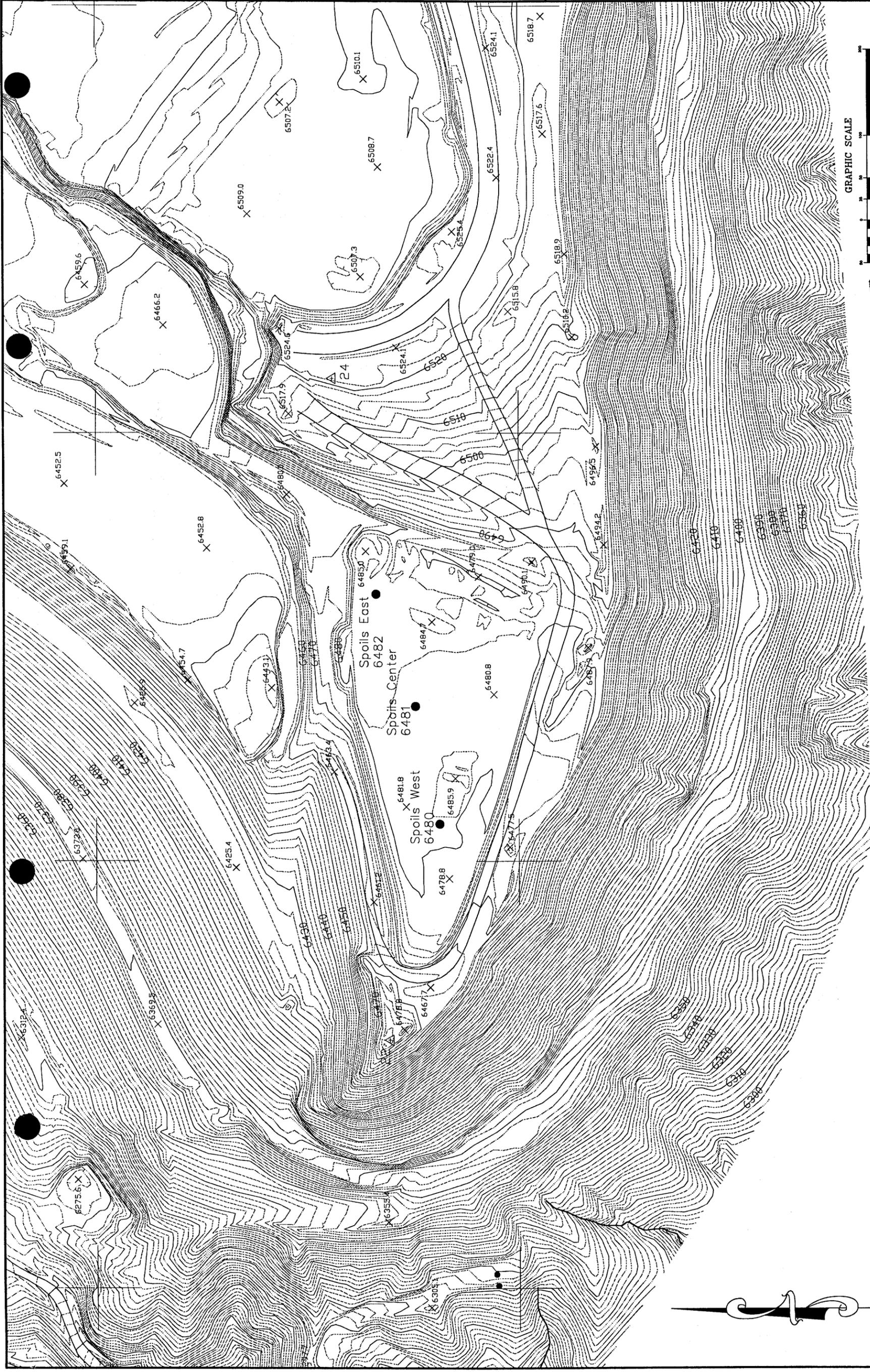
Sunnyside Cogeneration Associates
Excess Spoil Disposal Area #1

| | |
|----------------|----------|
| DATE | 4-15-99 |
| PLANT DATE | |
| SCALE | 1" = 50' |
| PROJECT NUMBER | 85UN0103 |



Note: contours are based on an aerial flight dated February 27, 1999.

HALF SCALE



Excess Spoil Disposal Area #1 Samples

| Overburden Evaluation for Vegetative Root Zone | | | |
|--|---------------|---------------|-------------|
| Parameters | Sample Number | | |
| | Spoils East | Spoils Center | Spoils West |
| pH | Good | Good | Good |
| Ec mmhos/cm @ 25 °C | Good | Good | Good |
| Saturation % | Good | Good | Good |
| Texture | Good | Good | Good |
| SAR | Good | Good | Fair |
| Selenium | Good | Unacceptable | Good |
| Boron | Good | Good | Good |
| Acid / Base Potential | Unacceptable | Unacceptable | Good |

| Parameters | Good | Fair | Poor | Unacceptable |
|-----------------------|--|--------------------------|--|--|
| pH | 6.1 to 8.2 | 5.1 to 6.1 8.2 to 8.4 | 4.5 to 5.0 8.5 to 9.0 | < 4.5 > 9.0 |
| Ec mmhos/cm @ 25 °C | 0 to 2 | 2 to 8 | 8 to 15 | > 15 |
| Saturation % | 25% to 85% | | < 25% > 80% | |
| Texture | sl, l, sil, scl, vfsl, fsl | c, sicl, sc, ls, ifs | sic, s, sc, c, cos, fs, vfs | g, vcos |
| SAR | 0 to 4 | 5 to 10 | 10 to 12 fine texture 10 to 15 coarse texture | 12 fine texture 15 coarse texture |
| Selenium | < 0.1 mg/Kg | | | > 0.1 mg/Kg |
| Boron | < 5.0 mg/Kg | | | > 5.0 mg/Kg |
| Acid / Base Potential | > -5 tons CaCO ₃ / 1,000 tons material | | | < -5 tons CaCO ₃ / 1,000 tons material |

**SUNNYSIDE COGENERATION and ASSOCIATES
EXCESS SPOIL DISPOSAL AREA #1
Analysis of spoil samples 1st Quarter 1999**

| Sample Site | Spoils East | Spoils Center | Spoils West |
|--------------------------|-------------|---------------|-------------|
| Elevation | 6482 | 6481 | 6480 |
| Lab No. | 72-00676-1 | 72-00676-2 | 72-00676-3 |
| Depths | 0 - 1 | 1 - 2 | 2 - 3 |
| pH | 7.18 | 7.58 | 8.12 |
| EC (mmhos/cm @ 25 °C) | 0.55 | 0.55 | 0.68 |
| Saturation (%) | 34.9 | 38.0 | 29.4 |
| Calcium (meq/L) | 24.9 | 23.3 | 23.9 |
| Magnesium (meq/L) | 57.0 | 52.8 | 29.0 |
| Sodium (meq/L) | 6.35 | 30.4 | 25.5 |
| SAR | 0.99 | 1.83 | 4.96 |
| Sand (%) | 74 | 64 | 74 |
| Silt (%) | 20 | 24 | 16 |
| Clay (%) | 6 | 12 | 10 |
| Texture Class | Sandy Loam | Sandy Loam | Sandy Loam |
| Total Sulfur (%) | 1.04 | 1.17 | 0.49 |
| T.S. AP (t/1000t) | 32.5 | 36.5 | 15.3 |
| Neut. Pot. (t/1000t) | 23.3 | 27.8 | 119 |
| T.S. ABP (t/1000t) | -9.20 | -8.76 | 103 |
| Nitrate- Nitrogen (ppm) | 7.90 | 33.6 | 23.1 |
| Boron (ppm) | 1.95 | 0.93 | 0.70 |
| Selenium (ppm) | 0.07 | 0.30 | <0.01 |
| Total Organic Matter (%) | 7.71 | 8.08 | 7.98 |
| Carbonates | 2.33 | 2.78 | 11.9 |



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SUITE B-200
DENVER, CO 80239
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FAX: (303) 373-4791

March 16, 1999

SUNNYSIDE OPERATIONS
P.O. BOX 159
#1 POWER PLANT ROAD
SUNNYSIDE UT 84539

Sample identification by
SUNNYSIDE COGENERATION FAC

SAMPLE ID: EAST 1

Kind of sample SPOILS

Sample taken by SUNNYSIDE COGENERATION FAC

Date received March 9, 1999

Analysis report no. 72-401857

| <u>PARAMETER</u> | <u>METHOD</u> | <u>RESULTS</u> | <u>UNITS</u> |
|-----------------------------------|-----------------------------|----------------|--------------|
| Solids | CLPSOW390, PART-F, D-98 | 99.05 | % |
| Cation Exchange Capacity (CEC) | USDA No. 60 (19) | 18.8 | meq/100g |
| Exchangeable Sodium Percent (ESP) | USDA No. 60 (10B) (calc) | 0.203 | % |
| Nitrogen, total Kjeldahl | M3512-TKN by Block Digester | 0.13 | % |

| | | | | | |
|-------------------|------------|---------|---------|------------|----|
| Post-It® Fax Note | 7671 | Date | 3-16-99 | # of pages | 15 |
| To | Sunnyside | From | Rebecca | | |
| Co./Dept. | Relativity | Co. | | | |
| Phone # | | Phone # | | | |
| Fax # | | Fax # | | | |

Respectfully submitted,
COMMERCIAL TESTING & ENGINEERING CO.

Byron C. Cah

Denver Laboratory



OVER 40 BRANCH LABORATORIES STRATEGICALLY LOCATED IN PRINCIPAL COAL MINING AREAS, TIDEWATER AND GREAT LAKES PORTS, AND RIVER LOADING FACILITIES

TERMS AND CONDITIONS ON REVERSE



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FAX: (303) 373-4791

March 16, 1999

SUNNYSIDE OPERATIONS
P.O. BOX 159
#1 POWER PLANT ROAD
SUNNYSIDE UT 84539

Sample identification by
SUNNYSIDE COGENERATION FAC

SAMPLE ID: CENTER 2

Kind of sample SPOILS

Sample taken by SUNNYSIDE COGENERATION FAC

Date received March 9, 1999

Analysis report no. 72-401859

| <u>PARAMETER</u> | <u>METHOD</u> | <u>RESULTS</u> | <u>UNITS</u> |
|-----------------------------------|-----------------------------|----------------|--------------|
| Solids | CLPSOW390, PART-F,D-98 | 98.80 | % |
| Cation Exchange Capacity (CEC) | USDA No. 60 (19) | 18.2 | meq/100g |
| Exchangeable Sodium Percent (ESP) | USDA No. 60 (108) (calc) | 5.71 | % |
| Nitrogen, total Kjeldahl | M3512-TKN by Block Digester | 0.14 | % |

Respectfully submitted,
COMMERCIAL TESTING & ENGINEERING CO.

Byron C. Cate
Denver Laboratory

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ACIL

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FAX: (303) 373-4781

March 16, 1999

SUNNYSIDE OPERATIONS
P.O. BOX 159
#1 POWER PLANT ROAD
SUNNYSIDE UT 84539

Sample identification by
SUNNYSIDE COGENERATION FAC

SAMPLE ID: WEST 3

Kind of sample SPOILS

Sample taken by SUNNYSIDE COGENERATION FAC

Data received March 9, 1999

Analysis report no. 72-401858

| <u>PARAMETER</u> | <u>METHOD</u> | <u>RESULTS</u> | <u>UNITS</u> |
|-----------------------------------|-----------------------------|----------------|--------------|
| Solids | CLPSOW390, PART-F,D-98 | 99.23 | % |
| Cation Exchange Capacity (CEC) | USDA No. 60 (19) | 10.39 | meq/100g |
| Exchangeable Sodium Percent (ESP) | USDA No. 60 (10B) (calc) | 1.42 | % |
| Nitrogen, total Kjeldahl | M3512-TKN by Block Digester | 0.16 | % |

Respectfully submitted,
COMMERCIAL TESTING & ENGINEERING CO.

Byron C. Caton

Denver Laboratory

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4685 PARIS, 8-200
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FAX: (303) 373-4781

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SUNNYSIDE COGENERATION TOPSOIL

March 16, 1999

Location : SPOILS-E.C. Northing :
Surface Elevation : Testing :

| Lab No. | Depth | pH | EC mhos/cm @ 25°C | Saturation % | Calcium mg/L | Magnesium mg/L | Sodium mg/L | SAR | Particle size | | | Texture Class | Notes |
|------------|-------|------|-------------------------|-----------------|-----------------|-------------------|----------------|------|---------------|-----------|-----------|------------------|---------------|
| | | | | | | | | | sand % | silt % | clay % | | |
| 72-00676-1 | 0-1 | 7.18 | 0.55 | 34.9 | 24.9 | 57.0 | 5.35 | 0.99 | 74 | 20 | 6 | SANDY LOAM | SPOILS EAST |
| 72-00676-2 | 1-2 | 7.58 | 0.55 | 38.0 | 23.3 | 528. | 30.4 | 1.83 | 64 | 24 | 12 | SANDY LOAM | SPOILS CENTER |
| 72-00676-3 | 2-3 | 8.12 | 0.68 | 29.4 | 23.9 | 29.0 | 25.5 | 4.96 | 74 | 16 | 10 | SANDY LOAM | SPOILS WEST |

Method Ref.: Wyoming D.R.G., Land Quality Division Guideline No. 1, Topsoil and Overburden Rules Update/8-94

Standard Operating Procedures For The Sampling And Analysis Of Selenium In Soil And Overburden/
Soil Material, University Of Wyoming, College Of Agriculture, Bulletin WF-82, March 1994.



Respectfully submitted,
COMMERCIAL TESTING & ENGINEERING CO.

Byron C. Cat
Manager, Denver Laboratory

OVER 40 BRANCH LABORATORIES STRATEGICALLY LOCATED IN PRINCIPAL COAL MINING AREAS, TIDEWATER AND GREAT LAKES PORTS, AND RIVER LOADING FACILITIES

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March 16, 1993

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FAX: (303) 373-4791

SUNNYSIDE COGENERATION TOPSOIL

Location = SOILS-B, C, Working :
Surface Elevation :
Basting :

| Lab No. | Depth | Total | | T.S. | | K.S. | | Pyr+Org | | Pyr+Org | | Pyr+Org | | Notes |
|------------|-------|------------------|----------|------------|------------|--------------|--------------|---------|----------|------------|-------------|-------------|---------------|-------|
| | | Organic Carbon % | Sulfur % | AS t/1000t | AP t/1000t | Pot. t/1000t | ABF. t/1000t | ABF. % | Sulfur % | AP t/1000t | ABF t/1000t | ABF t/1000t | | |
| 72-00676-1 | 0-1 | 1.04 | 1.17 | 32.5 | 21.3 | -9.20 | | | | | | | SPOILS EAST | |
| 72-00676-2 | 1-2 | 1.17 | 1.17 | 36.5 | 27.8 | -8.76 | | | | | | | SPOILS CENTER | |
| 72-00676-3 | 2-3 | 0.49 | 0.49 | 15.3 | 119 | 103. | | | | | | | SPOILS WEST | |

Method Ref.: Wyoming D.S.Q., Land Quality Division Guidelines No. 1, Topsoil And Overburden Rules Update/8-94

Standard Operating Procedures For The Sampling And Analysis Of Selenium In Soil And Overburden/
Soil Material, University Of Wyoming, College Of Agriculture, Bulletin WF-83, March 1994.



Respectfully submitted,
COMMERCIAL TESTING & ENGINEERING CO.

Byron C. Calk
Manager, Denver Laboratory

OVER 40 BRANCH LABORATORIES STRATEGICALLY LOCATED IN PRINCIPAL COAL MINING AREAS, TIDEWATER AND GREAT LAKES PORTS, AND RIVER LOADING FACILITIES

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SUNNYSIDE COGENERATION TOPSOIL

Location : SPOILS-B, C, Worthing ;
Surface Elevation : Rastlog ;

| Lab No. | Depth | Arsenic | | Nitrate-Nitrogen | | Cobalt | | Molybdenum | | Selenium | | Selenium | | Notes |
|------------|-------|---------|------|------------------|------|--------|-------|------------|-----|----------|-----|----------|--|---------------|
| | | Ppm | Ppm | Ppm | Ppm | Ppm | Ppm | Ppm | Ppm | Ppm | Ppm | Ppm | | |
| 72-00676-1 | 0-1 | | 7.90 | | 1.95 | | 0.07 | | | | | | | SPOILS EAST |
| 72-00676-2 | 1-2 | | 33.6 | | 0.93 | | 0.30 | | | | | | | SPOILS CENTER |
| 72-00676-3 | 2-3 | | 23.1 | | 0.70 | | <0.01 | | | | | | | SPOILS WEST |

March 16, 1999

Method Ref.: Wyoming D.E.P., Land Quality Division Guideline No. 1, Topsoil And Overburden Rules Update/8-94
Standard Operating Procedures For The Sampling And Analysis Of Selenium In Soil And Overburden/
Spoil Material, University Of Wyoming, College Of Agriculture, Bulletin WF-82, March 1994.

Respectfully submitted,
COMMERCIAL TESTING & ENGINEERING CO.

Byron C. Cook
Manager, Denver Laboratory



COVER 40 BRANCH LABORATORIES STRATEGICALLY LOCATED IN PRINCIPAL COAL MINING AREAS, TIDEWATER AND GREAT LAKES PORTS, AND RIVER LOADING FACILITIES

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TERMS AND CONDITIONS ON REVERSE

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SUNNYSIDE COGENERATION TOPSOIL

Location : SPOILS-E.C. Northing :
Surface Elevation : Easting :

| Lab No. | Depth | Total Organic Matter % | Carbonates | Coarse Fragments | SE-DETA | | Notes |
|------------|-------|------------------------------|------------|---------------------|-----------------|-----------------|---------------|
| | | | | | Selenium ppm | Selenium ppm | |
| 72-00676-1 | 0-1 | 7.71 | 2.33 | 0.07 | | | SPOILS EAST |
| 72-00676-2 | 1-2 | 8.05 | 2.75 | 0.30 | | | SPOILS CENTER |
| 72-00676-3 | 2-3 | 7.98 | 11.9 | 60.01 | | | SPOILS WEST |

Method Ref.: Wyoming D.S.G., Land Quality Division Guideline No. 1, Topsoil And Overburden Rules Update/8-94

Standard Operating Procedures For The Sampling And Analysis Of Selenium In Soil And Overburden/
Spoil Material, University Of Wyoming, College Of Agriculture, Bulletin WY-82, March 1994.



Respectfully submitted,
COMMERCIAL TESTING & ENGINEERING CO.

Byron C. Cook

Manager, Denver Laboratory

OVER 40 BRANCH LABORATORIES STRATEGICALLY LOCATED IN PRINCIPAL COAL MINING AREAS, TIDEWATER AND GREAT LAKES PORTS, AND RIVER LOADING FACILITIES

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TERMS AND CONDITIONS ON REVERSE

| | | |
|---|---|-------------------------------|
| INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE | | Excess Spoil Pile #2 |
| Permit Number | ACT/007/035 | Report Date 3/17/99 |
| Mine Name | SUNNYSIDE REFUSE AND SLURRY | |
| Company Name | SUNNYSIDE COGENERATION ASSOCIATES | |
| Excess Spoil Pile or Refuse Pile Identification | File Name: | Excess Spoil Disposal Area #2 |
| | File Number | N/A |
| | MSHA ID Number | 1211-UT-09-02093-05 |
| Inspection Date | 3/17/99 | |
| Inspected By | Scott Carlson | |
| Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction) | First Quarter Inspection 1999 | |
| | Attachments to Report? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes | |
| Field Evaluation | | |
| 1. | Foundation preparation, including the removal of all organic material and topsoil. Existing disturbed site. No topsoil removal is required by approved plan. | |
| 2. | Placement of underdrains and protective filter systems. Not required by approved plan. | |
| 3. | Installation of final surface drainage systems. N/A | |
| 4. | Placement and compaction of fill materials. Placement and compaction of fill material has not yet begun. | |

5. Final grading and revegetation of fill.

N/A

6. Appearances of instability, structural weakness, and other hazardous conditions.

None

7. Other Comments. Describe any changes in the geometry of the Excess Spoil/Refuse Pile structure, instrumentation, average and maximum lifts of materials placed in the pile, elevations of active benches, total and remaining storage capacity of the structure, evidence of fires in the pile and abatement of such fires, volumes of materials placed in the structure during the year, and any other aspect of the structure affecting its stability or function which has occurred during the reporting period.

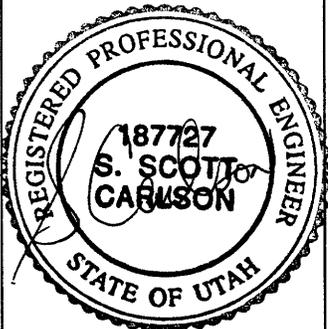
Both Slurry Pond #1 and Slurry Pond #2 have been approved to be filled with coal mine waste and excess spoil in connection with construction of the Excess Spoil Disposal Area # 2.

The Clearwater Pond is also part of this disposal area but will continue to function as a sediment pond until such time as it is needed as a disposal site.

Placement of the fill material has been approved by DOGM and MSHA but has not yet begun.

Certification Statement

I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.



By: S. Scott Carlson - Project Manager
(Full Name and Title)

Signature: *S. Scott Carlson*

Date: 3/17/99

P.E. Number & State: 187727 - UT