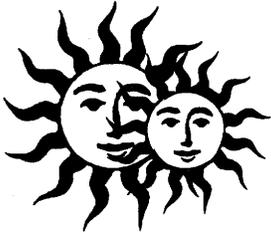


OK



# Sunnyside Cogeneration Associates

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

October 27, 2008

Daron Haddock  
Utah Division of Oil, Gas & Mining  
1594 W. North Temple, Suite 1210  
Salt Lake City, Utah 84116

RE: Third Quarter 2008 Inspection Report  
Sunnyside Refuse Pile C/007/035

Dear Daron:

Please find enclosed a copy of the Third Quarter 2008 Inspection Report for Sunnyside Cogeneration Associates' impoundments, refuse pile and excess spoil areas.

Should you have any questions, please contact Rusty Netz or myself at (435)888-4476.

Thank You,

Michael J. Blakey  
Agent For  
Sunnyside Cogeneration Associates

c.c. Steve Gross  
William Rossiter  
Paul Shepard  
Maggie Estrada  
Rusty Netz  
Plant File

RECEIVED

NOV 04 2008

DIV. OF OIL, GAS & MINING

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

## GENERAL INFORMATION

## Railcut Sediment Pond

Report Date October 20, 2008  
Permit Number C/007/035  
Mine Name Sunnyside Refuse and Slurry  
Company Name Sunnyside Cogeneration Associates

## IMPOUNDMENT IDENTIFICATION

Impoundment Name RailCut Sediment Pond  
Impoundment Number 007  
UPDES Permit Number UT024759  
MSHA ID Number N/A

## IMPOUNDMENT INSPECTION

Inspection Date September 25, 2008  
Inspected by Rusty Netz  
Reason for Inspection Third Quarter Inspection 2008

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

None

#### a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 4.8 Acre-feet  
Pond bottom elevation = 6206.0  
100% Sediment Storage Volume = 0.34 acre-feet at Elevation 6209  
60% sediment Storage Volume = 0.2 acre feet at Elevation = 6207.7  
Existing Sediment Elevation = 6206.8 +/-

#### b. Principle and emergency spillway elevations.

Primary Dewatering Pipe = 6209.07  
Emergency Spillway Elevation = 6212.34

## 2. 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 had no water in it. No samples were taken Pond did not require decanting  
Sediment levels were good  
Embankment conditions were good. Vegetation on out slopes was adequate.  
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

**IMPOUNDMENT INSPECTION AND CERTIFIED REPORT**

**Rail Cut Sediment Pond**

**3. Field Evaluation.**

*Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation 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 recent changes in the geometry of the structure have been observed

No water was impounded

No other aspects of the impounding structure were observed that could affect its stability or functionality.

**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 designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty set Date: 10/27/08

**CERTIFIED REPORT  
IMPOUNDMENT EVALUATION**

*If you answer NO to these questions, please explain under comments*

- 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 conditions? YES
- 3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

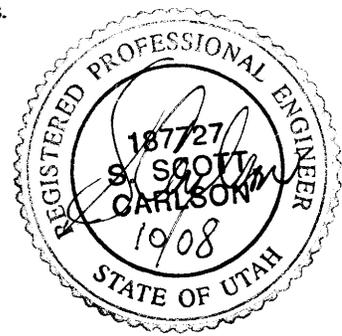
**COMMENTS/ OTHER INFORMATION**

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 designs and meets or exceeds 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, PE, Twin Peaks, P.C.  
P.E. Number & State: 187727 UTAH



Affix Signature, Stamp and Date

**IMPOUNDMENT INSPECTION AND CERTIFIED REPORT**

**Old Coarse Refuse Road Sediment Pond**

**3. Field Evaluation.**

*Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation 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 recent changes in the geometry of the structure have been observed  
No water was impounded  
Sediment level was good.

No other aspects of the impounding structure were observed that could affect its stability or functionality.

**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 designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty set Date: 10/27/08

**CERTIFIED REPORT  
IMPOUNDMENT EVALUATION**

*If you answer NO to these questions, please explain under comments*

- 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 conditions? YES
- 3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

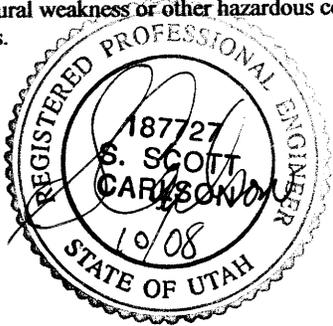
**COMMENTS/ OTHER INFORMATION**

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 designs and meets or exceeds 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, PE, Twin Peaks, P.C.  
P.E. Number & State: 187727 UTAH



Affix Signature, Stamp and Date

**IMPOUNDMENT INSPECTION AND CERTIFIED REPORT**

**Pasture Sediment Pond**

**GENERAL INFORMATION**

Report Date October 20, 2008  
Permit Number C/007/035  
Mine Name Sunnyside Refuse and Slurry  
Company Name Sunnyside Cogeneration Associates

**IMPOUNDMENT IDENTIFICATION**

Impoundment Name Pasture Sediment Pond  
Impoundment Number 009  
UPDES Permit Number UT024759  
MSHA ID Number N/A

**IMPOUNDMENT INSPECTION**

Inspection Date September 25, 2008  
Inspected by Rusty Netz  
Reason for Inspection Third Quarter Inspection 2008

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

None

**a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.**

Total Pond Volume = 3.2 Acre-feet  
Pond bottom elevation = 6484.5  
100% Sediment Storage Volume = 0.42 acre-feet at Elevation 6486.2  
60% sediment Storage Volume = 0.25 acre feet at Elevation = 6485.5  
Existing Sediment Elevation = ~~6485 +/-~~ 6484.6 +/-

**b. Principle and emergency spillway elevations.**

Primary Dewatering Pipe = 6486.6  
Emergency Spillway Elevation = 6490.6

**2. 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 had some water in it. No samples were taken Pond did not require decanting.  
Sediment level was good  
Embankment conditions were good. Vegetation on out slopes was adequate.  
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.



**IMPOUNDMENT INSPECTION AND CERTIFIED REPORT**

**Coarse Refuse Toe Sediment Pond**

**GENERAL INFORMATION**

Report Date October 20, 2008  
Permit Number C/007/035  
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 UT024759  
MSHA ID Number N/A

**IMPOUNDMENT INSPECTION**

Inspection Date September 25, 2008  
Inspected by Rusty Netz  
Reason for Inspection Third Quarter Inspection 2008

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

None

**a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.**

Total Pond Volume = 1.6 Acre-feet  
Pond bottom elevation = 6176.0  
100% Sediment Storage Volume = 0.07 acre-feet at Elevation 6177.8  
60% sediment Storage Volume = 0.03 acre feet at Elevation = 6177.0  
Existing Sediment Elevation = 6176.5 +/-

**b. Principle and emergency spillway elevations.**

Primary Dewatering Pipe = 6178.2  
Emergency Spillway Elevation = 6183.63

**2. 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 had no water in it. No samples were taken Pond did not require decanting  
Sediment level was good  
Embankment conditions were good. Vegetation on out slopes was adequate.  
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

**IMPOUNDMENT INSPECTION AND CERTIFIED REPORT**

**Coarse Refuse Toe Sediment Pond**

**3. Field Evaluation.**

*Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation 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 recent changes in the geometry of the structure have been observed

No water was impounded

Sediment level was good.

No other aspects of the impounding structure were observed that could affect its stability or functionality.

**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 designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty [Signature] Date: 10/27/08

**CERTIFIED REPORT  
IMPOUNDMENT EVALUATION**

*If you answer NO to these questions, please explain under comments*

- 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 conditions? YES
- 3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

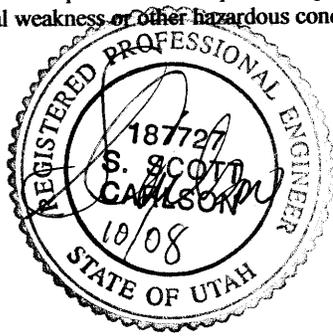
**COMMENTS/ OTHER INFORMATION**

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 designs and meets or exceeds 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, PE, Twin Peaks, P.C.  
P.E. Number & State: 187727 UTAH



Affix Signature, Stamp and Date

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

## GENERAL INFORMATION

Coal Pile Sediment Pond

Report Date October 20, 2008  
Permit Number C/007/035  
Mine Name Sunnyside Refuse and Slurry  
Company Name Sunnyside Cogeneration Associates

## IMPOUNDMENT IDENTIFICATION

Impoundment Name Coal Pile Sediment Pond  
Impoundment Number 014  
UPDES Permit Number UT024759  
MSHA ID Number N/A

## IMPOUNDMENT INSPECTION

Inspection Date September 25, 2008  
Inspected by Rusty Netz  
Reason for Inspection Third Quarter Inspection 2008

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

None

#### a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 1.5 Acre-feet  
Pond bottom elevation = 6473.0  
100% Sediment Storage Volume = 0.5 acre-feet at Elevation 6476.0  
60% sediment Storage Volume = 0.3 acre feet at Elevation = 6474.7  
Existing Sediment Elevation = 6473.5 +/-

#### b. Principle and emergency spillway elevations.

Primary Dewatering Pipe = 6476.0  
Secondary Dewatering Orifice = 6477.2  
Primary Spillway Elevation = 6477.9  
Emergency Spillway Elevation = 6479.0

## 2. 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 had some water in it. No samples were taken. Pond did not require decanting.  
Sediment level was good.  
Embankment conditions were good. Vegetation on out slopes was adequate.  
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

**IMPOUNDMENT INSPECTION AND CERTIFIED REPORT**

**Coal Pile Sediment Pond**

**3. Field Evaluation.**

*Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation 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 recent changes in the geometry of the structure have been observed

A small amount of water was impounded

Sediment level was good.

No other aspects of the impounding structure were observed that could affect its stability or functionality.

**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 designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty net Date: 10/27/08

**CERTIFIED REPORT**

**IMPOUNDMENT EVALUATION**

*If you answer NO to these questions, please explain under comments*

- 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 conditions? YES
- 3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

**COMMENTS/ 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 designs and meets or exceeds 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, PE, Twin Peaks, P.C.  
P.E. Number & State: 187727 UTAH



Affix Signature, Stamp and Date

**IMPOUNDMENT INSPECTION AND CERTIFIED REPORT**

**Borrow Area Sediment Pond**

**GENERAL INFORMATION**

Report Date October 20, 2008  
Permit Number C/007/035  
Mine Name Sunnyside Refuse and Slurry  
Company Name Sunnyside Cogeneration Associates

**IMPOUNDMENT IDENTIFICATION**

Impoundment Name Borrow Area Sediment Pond  
Impoundment Number 016  
UPDES Permit Number UT024759  
MSHA ID Number N/A

**IMPOUNDMENT INSPECTION**

Inspection Date September 25, 2008  
Inspected by Rusty Netz  
Reason for Inspection Third Quarter Inspection 2008

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

None

**a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.**

Total Pond Volume = 8.3 Acre-feet  
Pond bottom elevation = 6510.0  
100% Sediment Storage Volume = 2.3 acre-feet at Elevation 6514.3  
60% sediment Storage Volume = 1.4 acre feet at Elevation = 6513.3  
Existing Sediment Elevation = 6511 +/-

**b. Principle and emergency spillway elevations.**

Primary Dewatering Pipe = 6514.3  
Emergency Spillway Elevation = 6517.03

**2. 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 had no water in it. No samples were taken  
Sediment level was good. Pond did not require decanting.  
Embankment conditions were good. Vegetation on out slopes was adequate.  
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

**IMPOUNDMENT INSPECTION AND CERTIFIED REPORT**

**Borrow Area Sediment Pond**

**3. Field Evaluation.**

*Describe any changes in the geometry of the impounding structure, average and maximum depths and elevation 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 recent changes in the geometry of the structure have been observed  
No water was impounded  
Sediment level was good.

No other aspects of the impounding structure were observed that could affect its stability or functionality.

**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 designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty nety Date: 10/27/08

**CERTIFIED REPORT  
IMPOUNDMENT EVALUATION**

*If you answer NO to these questions, please explain under comments*

- 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 conditions? YES
- 3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

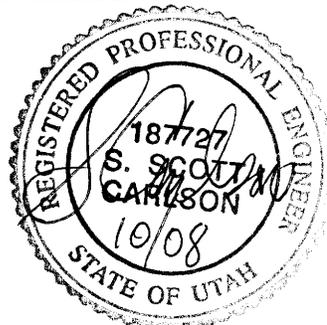
**COMMENTS/ OTHER INFORMATION**

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 designs and meets or exceeds 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, PE, Twin Peaks, P.C.  
P.E. Number & State: 187727 UTAH



Affix Signature, Stamp and Date

**INSPECTION AND CERTIFIED REPORT  
ON EXCESS SPOIL PILE OR REFUSE PILE**

**GENERAL INFORMATION**

**Coarse Refuse Pile**

Report Date October 20, 2008  
Permit Number C/007/035  
Mine Name Sunnyside Refuse and Slurry  
Company Name Sunnyside Cogeneration Associates

**EXCESS SPOIL PILE OR REFUSE PILE IDENTIFICATION**

Pile Name Coarse Refuse Pile  
Pile Number N/A  
MSHA ID Number 1211-UT-09-02093-01

Inspection Date September 25, 2008  
Inspected by Rusty Netz  
Reason for Inspection Third Quarter Inspection 2008

Attachment to Report? (such as refuse sample analysis or photos) **NO**

**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 - Activities occurring at this time are associated with removal of refuse material

5. Final grading and revegetation of fill.

N/A

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

No aspects of the Fill structure were observed that could affect its stability or functionality

**INSPECTION AND CERTIFIED REPORT  
ON EXCESS SPOIL PILE OR REFUSE PILE**

**Coarse Refuse Pile**

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

Refuse material is actively being excavated and removed from various locations across the top of the pile

The East Slurry Cell has been decommissioned and the coal refuse material stored therein has been incorporated as part of the Coarse Refuse Pile.

**QUALIFICATION STATEMENT:**

I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect 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 meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

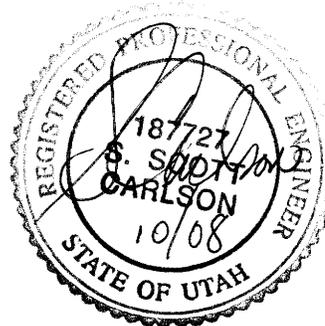
Signature: Rusty Retz Date: 10/27/08

**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 the approved design and meets or exceeds 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.

By: S. Scott Carlson, PE, Twin Peaks, P.C.  
P.E. Number & State: 187727 UTAH

Affix Signature, Stamp and Date



**INSPECTION AND CERTIFIED REPORT  
ON EXCESS SPOIL PILE OR REFUSE PILE**

**GENERAL INFORMATION**

**Excess Spoil Disposal Area #1**

Report Date October 20, 2008  
Permit Number C/007/035  
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 September 25, 2008  
Inspected by Rusty Netz  
Reason for Inspection Third Quarter Inspection 2008

Attachment to Report? (such as refuse sample analysis or photos) **NO**

**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

No new material was placed during the quarter.

5. Final grading and revegetation of fill.

N/A

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

No aspects of the Fill structure were observed that could affect its stability or functionality

**INSPECTION AND CERTIFIED REPORT  
ON EXCESS SPOIL PILE OR REFUSE PILE**

**Excess Spoil Disposal Area #1**

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

**QUALIFICATION STATEMENT:**

I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect 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 meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

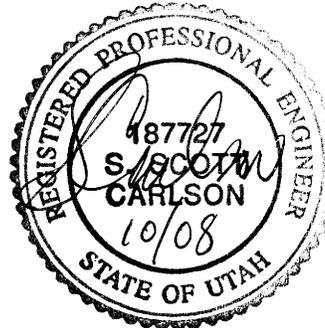
Signature: Rusty netz Date: 10/27/08

**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 the approved design and meets or exceeds 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.

By: S. Scott Carlson, PE, Twin Peaks, P.C.  
P.E. Number & State: 187727 UTAH

Affix Signature, Stamp and Date



**INSPECTION AND CERTIFIED REPORT  
ON EXCESS SPOIL PILE OR REFUSE PILE**

**GENERAL INFORMATION**

**Excess Spoil Disposal Area #2**

Report Date October 20, 2008  
Permit Number C/007/035  
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 September 25, 2008  
Inspected by Rusty Netz  
Reason for Inspection Third Quarter Inspection 2008

Attachment to Report? (such as refuse sample analysis or photos) **NO**

**Field Evaluation**

1. Foundation preparation, including the removal of all organic material and topsoil.

Existing disturbed site. No additional topsoil removal is required by the approved plan

2. Placement of underdrains and protective filter systems.

No under-drains or filters area required by the approved plan

3. Installation of final surface drainage systems

N/A

4. Placement and compaction of fill materials

Approximately 7,583 tons of material were placed in this disposal area during the quarter.

5. Final grading and revegetation of fill.

N/A

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

No aspects of the Fill structure were observed that could affect its stability or functionality

