

C/007/035 Incoming  
cc: Karl R



## Sunnyside Cogeneration Associates

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

January 29, 2013

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

RE: Annual 2012 Inspection Report  
Sunnyside Refuse and Slurry C/007/035

Dear Mr. Haddock:

Please find enclosed a copy of the Annual 2012 Inspection Report for the Sunnyside refuse pile, impoundments, and excess spoil areas.

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

Thank You,

Richard Carter  
Agent For  
Sunnyside Cogeneration Associates

c.c. Rusty Netz  
Plant File

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JAN 31 2013

DIV. OF OIL, GAS & MINING

# IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

## GENERAL INFORMATION

## Railcut Sediment Pond

Report Date January 14, 2013  
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 December 17, 2012  
Inspected by Rusty Netz  
Reason for Inspection Annual Inspection 2012

### 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 = 6207.2 +/-

#### 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 some snow cover. 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: Riverty nety Date: 1/29/13

**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

### GENERAL INFORMATION

Report Date January 14, 2013  
Permit Number C/007/035  
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 UT024759  
MSHA ID Number N/A

### IMPOUNDMENT INSPECTION

Inspection Date December 17, 2012  
Inspected by Rusty Netz  
Reason for Inspection Annual Inspection 2012

#### 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 = 0.9 Acre-feet  
Pond bottom elevation = 6394.0  
100% Sediment Storage Volume = 0.08 acre-feet at Elevation 6395.1  
60% sediment Storage Volume = 0.05 acre feet at Elevation = 6394.75  
Existing Sediment Elevation = 6394.4 +/-

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

Primary Dewatering Pipe = 6395.75  
Emergency Spillway Elevation = 6399.4

### 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 snow cover. 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**

**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 Retz Date: 1/29/13

**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

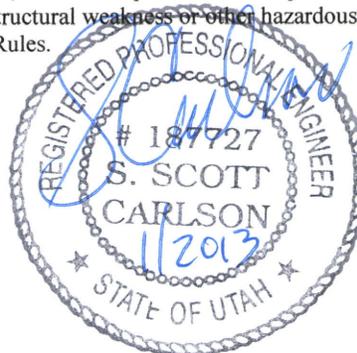
**COMMENTS/ OTHER INFORMATION**

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 January 14, 2013  
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 December 17, 2012  
Inspected by Rusty Netz  
Reason for Inspection Annual Inspection 2012

**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 = 6485.1 +/-

**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 snow cover. 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**

**Pasture 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 were 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 noty Date: 1/29/13

**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

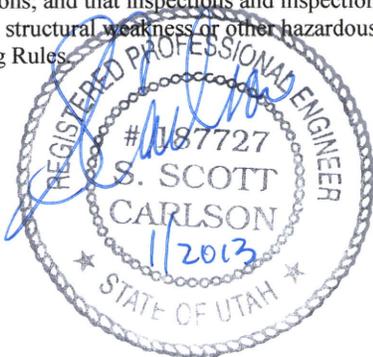
**COMMENTS/ OTHER INFORMATION**

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

## Coarse Refuse Toe Sediment Pond

### GENERAL INFORMATION

Report Date January 14, 2013  
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 December 17, 2012  
Inspected by Rusty Netz  
Reason for Inspection Annual Inspection 2012

#### 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 = 6176.6 +/-

#### 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 some snow cover. 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 Retz Date: 1/29/13

**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

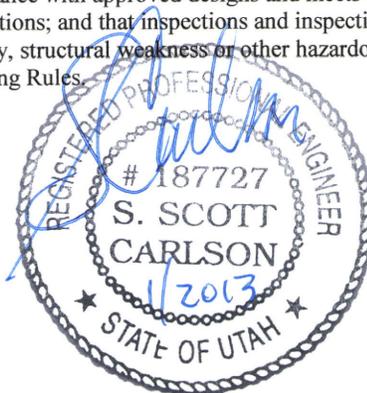
**COMMENTS/ OTHER INFORMATION**

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 January 14, 2013  
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 December 17, 2012  
Inspected by Rusty Netz  
Reason for Inspection Annual Inspection 2012

### 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 = 6474 +/-

#### 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 outslopes of embankments, etc.*

Pond had some snow cover. No samples were taken. Pond did not require decanting.  
Sediment level was good.  
Embankment conditions were good. Vegetation on outslopes 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  
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: 1/29/13

**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 January 14, 2013  
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 December 17, 2012  
Inspected by Rusty Netz  
Reason for Inspection Annual Inspection 2012

#### 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 outslopes of embankments, etc.*

Pond had some snow cover. No samples were taken  
Sediment level was good. Pond did not require decanting.  
Embankment conditions were good. Vegetation on outslopes 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: 1/29/13

**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

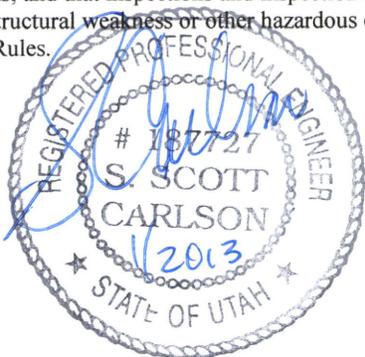
**COMMENTS/ OTHER INFORMATION**

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 January 14, 2013  
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 December 17, 2012  
Inspected by Rusty Netz  
Reason for Inspection Annual Inspection 2012

Attachment to Report? (such as refuse sample analysis or photos) **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 - 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

**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 Nety Date: 1/29/13

**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 January 14, 2013  
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 December 17, 2012  
Inspected by Rusty Netz  
Reason for Inspection Annual Inspection 2012

Attachment to Report? (such as refuse sample analysis or photos) **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

Approximately 86,323 tons of material were placed during the year.  
(18,768+19,495+23,455+24,605)

5. Final grading and revegetation of fill.

N/A

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

Some smokers were visible during the early part of the year. None visible at this inspection.

**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.

In accordance with the approved plan, SCA has gathered samples of the material placed in this Disposal Area throughout each year. Analysis of the composited samples from 2011 was submitted in first quarter 2012. The samples for 2012 were composited in December and analyzed at the BYU Environmental Laboratory. Results from 2011 and 2012 analyses are attached.

**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 Nety Date: 1/29/13

**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

**BRIGHAM YOUNG UNIVERSITY**

**Soil and Plant Analysis Laboratory**

**255 WIDB**  
**Provo, UT 84602**  
**801-422-2147**

**Plant and Wildlife Sciences**  
**Department**

Name Sunnyside Cogeneration  
 Street P.O. Box 159  
Sunnyside Utah 84539  
 City State Zip

**SOIL TEST REPORT**  
**AND**  
**RECOMMENDATIONS**

Date: 13-Mar-12  
 Telephone: 435-888-4476  
 Fax: 435-888-2538

Sample Identification	Crop to be grown	pH	% Sand	% Silt	% Clay	Soil Texture	Cation Exchange meq/100g	% Organic Matter
spoils from areas #1,2,3,4	Trf	7.23	62.08	22.80	15.12	Sandy Loam		5.63

Soil Test	Results	Very Low	Low	Medium	High	Very High	Recommendations
Nitrate-Nitrogen mg/kg N	5.02	X					apply 2.8 lbs of N/1000 sq ft
Phosphorus mg/kg P	2.62	X					apply 2.1 lbs of P2O5/1000 sq ft
Potassium mg/kg K	171.52				X		no fertilizer needed
Salinity-ECe dS/m	1.85		X				no salinity problem
Organic Carbon % OC	3.27						
Saturation % Saturation	44.73						
Boron mg/kg B	1.62						
Selenium mg/kg Se	0.22						
SAR-Sodium Absorption Ratio	0.92	X					no sodium hazard
Calcium-SAR ppm Ca	288.61						
Potassium SAR ppm K	19.44						
Magnesium SAR ppm Mg	88.42						
Sodium SAR ppm Na	67.97						
Sulfur % pyritic S	0.32	X					
Acid Potential tons CaCO <sub>3</sub> /1000 tons	9.85						
Ca Carbonate %CaCO <sub>3</sub>	5.38						
Neutralizing Potential tons CaCO <sub>3</sub> /1000 tons	53.75						
Acid Base Potential tons CaCO <sub>3</sub> /1000 tons	43.90				X		good

Notes:

# BRIGHAM YOUNG UNIVERSITY

Environmental Analytical Laboratory

244 WIDB  
Provo, UT 84602  
801-422-2147

**Plant and Wildlife Sciences  
Department**

## SAMPLE TEST REPORT AND RECOMMENDATIONS

Name SCA  
Street #1 Power Plant Road  
Sunnyside Utah 84526  
City State Zip

Date: 12-Dec-12  
Telephone: 435-888-4476  
Fax: \_\_\_\_\_

Sample Identification	Crop to be grown	pH	% Sand	% Silt	% Clay	Soil Texture	% Moisture	% Organic Carbon
#1 Spoils sample	Turf	7.1	61.7	24.2	14.1	Sandy Loam	42.3	5.1

Test	Results	Very Low	Low	Medium	High	Very High	Recommendations
Nitrate-Nitrogen ppm N	3	X					
Phosphorus ppm P	1	X					
Potassium ppm K	84			X			
Salinity-EcE dS/m	3.0			X			no salinity problem
Boron ppm B	2.1						
Selenium ppm Se	0.47						
SAR-Sodium Absorption Ratio	0.74	X					no sodium hazard
Calcium-SAR ppm Ca	885						
Potassium SAR ppm K	31						
Magnesium SAR ppm Mg	304						
Sodium SAR ppm Na	101						
Sulfur % pyritic S	0.4						
Acid Potential tons CaCO <sub>3</sub> /1000 tons	11.1						
Ca Carbonate %CaCO <sub>3</sub>	4.2						
Neutralization Pot. tons CaCO <sub>3</sub> /1000 tons	42.2						
Acid Base Potential tons CaCO <sub>3</sub> /1000 tons	31.2						

Notes:

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

**GENERAL INFORMATION**

**Excess Spoil Disposal Area #2**

Report Date January 14, 2013  
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 December 17, 2012  
Inspected by Rusty Netz  
Reason for Inspection Annual Inspection 2012

Attachment to Report? (such as refuse sample analysis or photos) **YES**

**Field Evaluation**

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

Site preparation on XS2 Phase 2 area has been completed by excavating subsoil and placing on Phase 1 for reclamation. Phase 3 area is not yet prepared for material placement.

2. Placement of underdrains and protective filter systems.

No under-drains or filters are required by the approved plan for phase 1 or phase 3. One permanent culvert is to be installed at some point prior to completing fill on the Phase 2 area. Ample capacity exists for initial fill placement prior to reaching the location requiring the culvert.

3. Installation of final surface drainage systems

Phase 1 portion has been surface roughened to control drainage.

4. Placement and compaction of fill materials

No new spoils or coal reject material was placed in this disposal area during the year.

5. Final grading and revegetation of fill.

Phase 1 portion has been covered with 4ft. mulch & fertilizer incorporated and reseeded. Vegetation is proceeding slowly due to lack of rain. SCA conducted additional seeding during the 4<sup>th</sup> quarter 2012 to assist with revegetation.

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 #2**

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

SCA has completed reclamation work on Phase 1 of this Disposal Area. Subsoil materials were excavated from the proposed Phase 2 area to provide approximately 3 ft of cover over the spoil materials. Salvaged Topsoil and clean borrow material was placed to provide the top (4<sup>th</sup>) foot of cover. Weed free straw mulch and fertilizer was incorporated as described in the permit. Reseeding occurred in accordance with the approved mix.

SCA received approval on a permit amendment for expansion of this Disposal Area into Phase 2 and 3 areas. The Phase 2 area has been prepared for fill placement. Phase 3 is not expected to be prepared for several years to come.

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Signature: *Rusty not* Date: 1/29/13

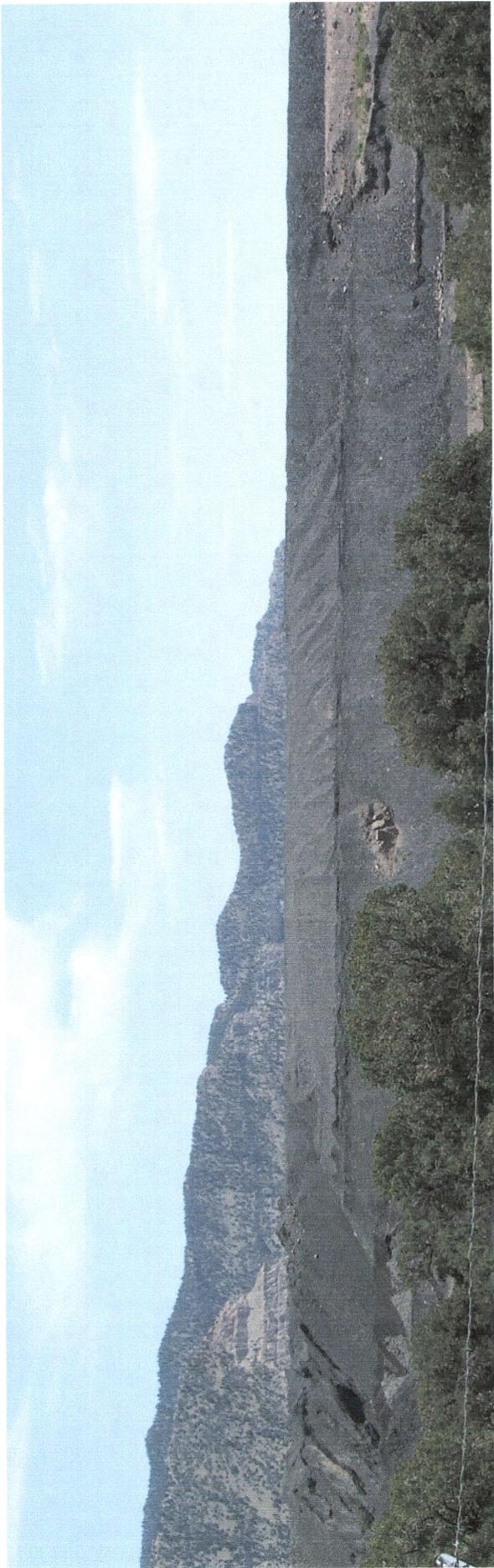
**CERTIFICATION STATEMENT**

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

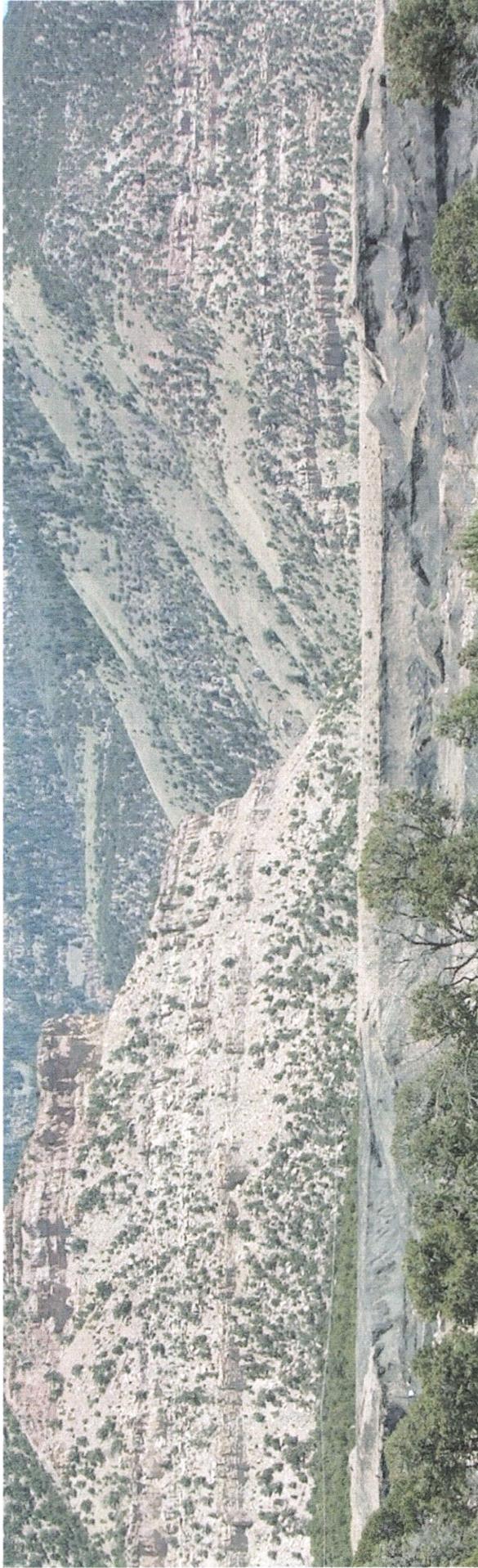
Affix Signature, Stamp and Date





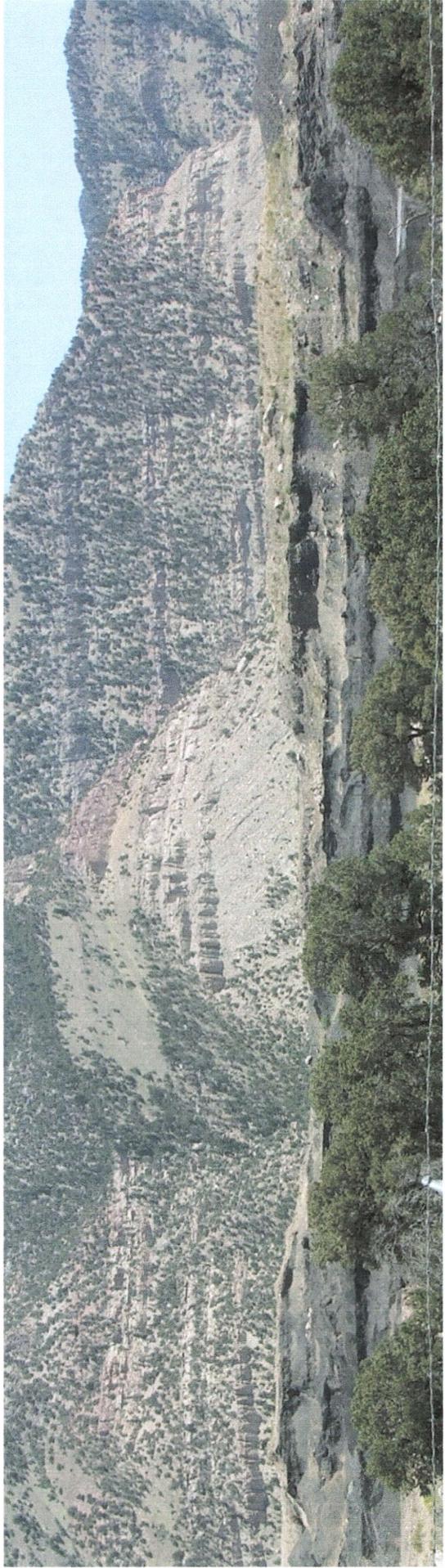
Excess Spoil Disposal Area #1 – Looking southerly

June 2012



Refuse Pile – Looking southeasterly

June 2012



Refuse Pile – Looking southerly

June 2012



Excess Spoil Disposal Area #2 (Phase1)— Looking easterly – North half

June 2012



Excess Spoil Disposal Area #2 (Phase1)— Looking easterly – South half

June 2012



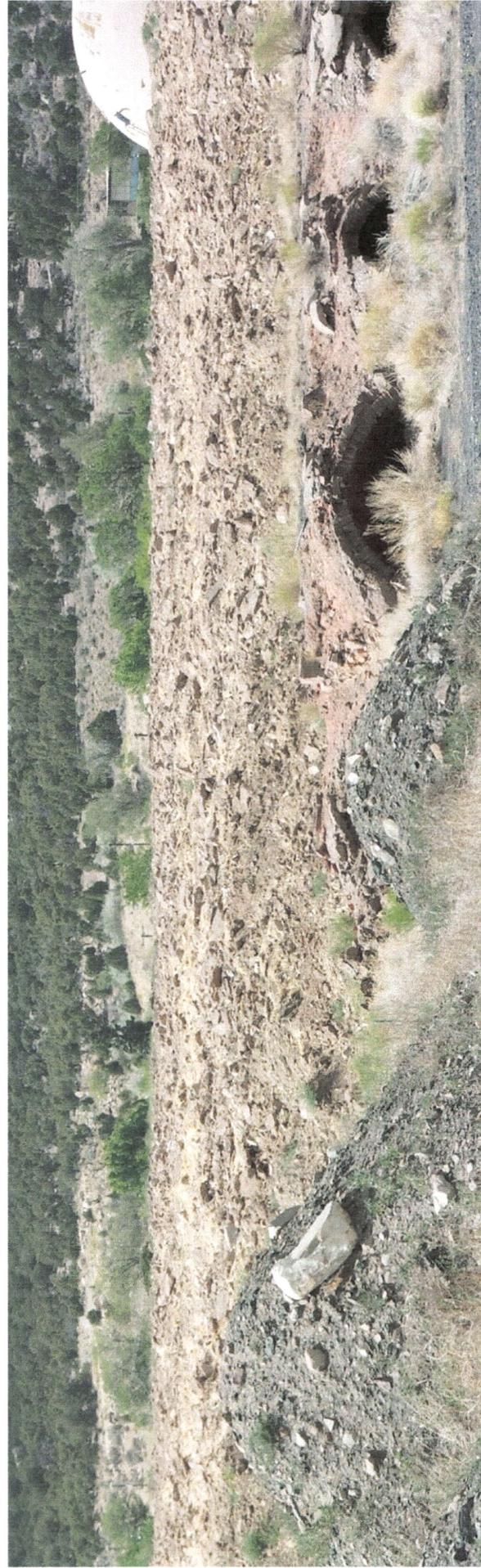
Excess Spoil Disposal Area #2 (Phase1)— Looking northwesterly ( coke ovens in foreground, XS#2 in background)

June 2012



Excess Spoil Disposal Area #2 (Phase1)– Looking west/northwesterly (coke ovens in foreground, XS#2 in background)

June 2012



Excess Spoil Disposal Area #2 (Phase1)– Looking westerly (coke ovens in foreground, XS#2 in background)

June 2012