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2004 Annual Report

Sunnyside Cogeneration Associates

Star Point Waste Fuel

C/007/042





**SUNNYSIDE COGENERATION ASSOCIATES
STAR POINT WASTE FUEL
C/007/042
2004 ANNUAL REPORT**

Submitted to:

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



SUNNYSIDE COGENERATION ASSOCIATES
STAR POINT WASTE FUEL
2004 ANNUAL REPORT

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I. GENERAL PERMIT INFORMATION

Permit Number: C/007/042

Mine Name: Star Point Waste Fuel

Permittee: Sunnyside Cogeneration Associates

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

Date of Initial Permanent Program Permit: November 14, 2003

Date of Most Recent Permit Renewal: New Permit

Date of Expiration: November 14, 2008

SCA acquired the Star Point waste fuel area from RAG America and completed its Mining and Reclamation permit in late 2003. This annual report covers the first full calendar year of SCA's operations at the Star Point Waste Fuel Mine under the new permit.



II. IDENTIFICATION OF OTHER PERMITS

MSHA ID Numbers: Star Point Refuse Pile Mine ID No. 42-02334
Coarse Refuse Pile 1211-UT-09-02334-01 (abandoned)

MSHA has maintained jurisdiction over the Star Point Mine and its Coarse Refuse Pile for many years. This has been throughout the process of constructing the pile. In connection with the mining permit transfer from RAG to SCA in late 2003, a request for final abandonment of the refuse pile was made to MSHA. That request was granted by MSHA in a letter dated January 28, 2004. A copy of the request and approval from MSHA is enclosed in Appendix E. SCA has modified their mining and reclamation plan on file with DOGM to reflect this change.

As such, SCA's Star Point Waste Fuel Mine has no MSHA qualifying facilities or structures.

Storm Water Permit Number: UTR000604 Approved effective August 29, 2002
Expires December 31, 2006

Under the Utah Pollutant Discharge Elimination System, the Utah Department of Water Quality issued SCA a Multi-Sector General Permit for Storm Water Discharges associated with Industrial Activities from Coal Mines and Coal Mining-related Facilities. A copy of this permit can be found in the Mining and Reclamation permit under Exhibit 742.221c.

UPDES Discharge Permit Number: UTG040025 Approved Sept 1, 2002
Renewed May 1, 2003
Expires April 30, 2008

The UDWQ has also issued SCA a general storm water discharge permit to regulate discharges from the three sediment ponds in the mining permit area (Ponds 005, 006 & 009). SCA submits monthly discharge monitoring reports to the DWQ.

Air Quality Permit:

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



III. CERTIFIED REPORTS

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

All of the impoundments met or exceeded the storage capacity requirements identified in the permit. However, a series of precipitation events measuring more than an inch of rain each over several consecutive days in October 2004 did combine to produce more runoff that could be completely contained in two of the impoundments within the mining permit area. As a result of these consecutive storms, a discharge occurred from Ponds 005 and 006 on October 22nd. These discharges were tested for the required water quality parameters and Discharge Monitoring Reports were submitted to the Division of Water Quality. These reports were attached with the quarterly impoundment inspections submitted to DOGM and are included with those quarterly inspection reports in Appendix A of this document.

No construction of the proposed Disposal Area occurred in 2004.

Excavation of Refuse from the Refuse Pile occurred in general conformance with the operational criteria and performance standards established in the permit. In 2004, the operator excavated coal material by removing refuse directly from the top of the refuse pile and also by pushing material from the top down the northeast face of the pile to be loaded.

In early 2004, the operator removed material from the lower face of the pile, resulting in a steeper slope. It was determined that this did not comply with the approved mining plan and the inspector issued a notice of violation (NOV # N04-49-3-1) on February 25, 2004. SCA immediately stopped its operation and restored the slope. SCA then directed the contractor to excavate material from the top of the pile and is maintaining a safe slope on the face of the pile.



IV. REPORTING OF OTHER TECHNICAL DATA

1. Climatological Data

None

2. Subsidence Monitoring Data

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

3. Vegetation Monitoring Data

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

4. Raptor Surveys

Raptor studies were conducted by DWR in 2002. Information regarding that study is located in the approved permit.

5. Water Monitoring Data

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



6. Geological / Geophysical Data

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

7. Engineering Data

a. Refuse Excavation

Coal materials from the Star Point Waste Fuel Coarse Refuse Pile were excavated and hauled to the SCA Sunnyside Facilities throughout the year. The total tonnage below reflects the quantity of material excavated during 2004.

SCA - Star Point Waste Fuel: 235,510 Tons

b. Proposed Disposal Area

No construction of the proposed Disposal Area occurred in 2004.

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

8. Soils Monitoring Data

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

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

9. Other Data

No additional periodic data is required in the approved plan.



V. LEGAL, FINANCIAL, COMPLIANCE & RELATED INFORMATION

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



VI. MINE MAPS

The mine map included in **Appendix D** of this report provides an update to the surface configuration of the refuse area being excavated. This refuse is then utilized as fuel for the Sunnyside Cogeneration Facility. The aerial survey used to generate contours of the site was performed in 2000. The mining areas, which were active since the aerial photography was taken, have been identified on the map. Estimated contour adjustments have been drawn across the pile based on calculated quantities of material removed. A recent photograph of the active mining area has been added to the map to show current conditions.



APPENDIX A CERTIFIED REPORTS



**APPENDIX A
CERTIFIED REPORTS**

FIRST QUARTER INSPECTION

**IMPOUNDMENTS, REFUSE PILE AND DISPOSAL
AREA**

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Sediment Pond 005	
Permit Number	C/007/042	Report Date	4/6/04
Mine Name	STAR POINT WASTE FUEL		
Company Name	SUNNYSIDE COGENERATION ASSOCIATES		
Impoundment Identification	Impoundment Name	Sediment Pond 005	
	Impoundment Number	005	
	UPDES Permit Number	UTR000604	
	MSHA ID Number	N/A	

IMPOUNDMENT INSPECTION

Inspection Date	March 12, 2004		
Inspected By	Scott Carlson		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)		First Quarter Inspection 2004	

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.

Total Pond volume = 6.96 acre-feet

Sediment Storage Capacity = 2.42 acre-feet
Pond bottom elevation = 7387.3
60% sediment elevation = 7393
Maximum Sediment Depth Elevation = 7394.9
Existing Sediment Elevation = 7388 +/-

3. Principle and emergency spillway elevations.

Spillway Elevation = 7401.3

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.

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 essentially empty.

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: 

Date: 4/6/04

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 Senior Project Manager
 (Full Name and Title)

Signature: *Scott Carlson*

P.E. Number & State: 187727 UT



IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Sediment Pond 006	
Permit Number	C/007/042	Report Date 4/6/04	
Mine Name	STAR POINT WASTE FUEL		
Company Name	SUNNYSIDE COGENERATION ASSOCIATES		
Impoundment Identification	Impoundment Name	Sediment Pond 006	
	Impoundment Number	006	
	UPDES Permit Number	UTR000604	
	MSHA ID Number	N/A	
IMPOUNDMENT INSPECTION			
Inspection Date	March 12, 2004		
Inspected By	Scott Carlson		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)		First Quarter Inspection 2004	
<p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>NONE</p>			
<p>Required for an impoundment which functions as a SEDIMENTATION POND.</p>	<p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Total Pond volume = 2.6 acre-feet</p> <p>Sediment Storage Capacity = 0.76 acre-feet</p> <p>Pond bottom elevation = 7132.7</p> <p>60% sediment elevation = 7138.8</p> <p>Maximum Sediment Depth Elevation = 7140.7</p> <p>Existing Sediment Elevation = 7134 +/-</p>		
	<p>3. Principle and emergency spillway elevations.</p> <p>Spillway Elevation = 7147.2</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 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.

No changes. Pond was essentially empty. 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 Culver Date: 4/6/04

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT	Sediment Pond 006	
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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

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. Senior Project Manager
 Signature: *S. Scott Carlson*
 P.E. Number & State: 187727 - UT



IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Sediment Pond 009	
Permit Number	C/007/042	Report Date	4/6/04
Mine Name	STAR POINT WASTE FUEL		
Company Name	SUNNYSIDE COGENERATION ASSOCIATES		
Impoundment Identification	Impoundment Name	Sediment Pond 009	
	Impoundment Number	009	
	UPDES Permit Number	UTR000604	
	MSHA ID Number	N/A	
IMPOUNDMENT INSPECTION			
Inspection Date	March 12, 2004		
Inspected By	Scott Carlson		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)		First Quarter Inspection 2004	
<p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>NONE</p>			
<p>Required for an impoundment which functions as a SEDIMENTATION POND</p>	<p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Total Pond volume = 7.4 acre-feet</p> <p>Sediment Storage Capacity = 2.02 acre-feet</p> <p>Pond bottom elevation = 7435.0</p> <p>60% sediment elevation = 7437.7</p> <p>Maximum Sediment Depth Elevation = 7439.3</p> <p>Existing Sediment Elevation = 7436 +/-</p>		
	<p>3. Principle and emergency spillway elevations.</p> <p>Emergency Spillway Elevation = 7446.5</p> <p>Primary Drain Elevation = 7445.5</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.

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

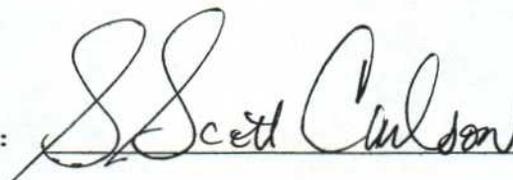
5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure 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:



Date: 4/6/04

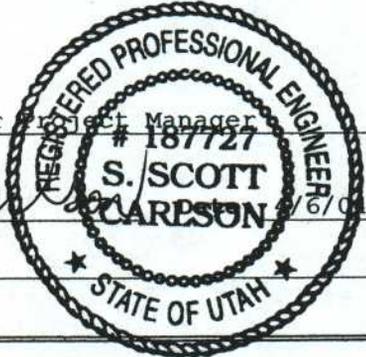
CERTIFIED REPORT

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:	<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 style="margin-top: 20px;">By: <u>S. Scott Carlson, P.E. Senior Project Manager</u></p> <p style="margin-top: 10px;">Signature: <u><i>S. Scott Carlson</i></u></p> <p style="margin-top: 10px;">P.E. Number & State: <u>187727 - UT</u></p>
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INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE		Coarse Refuse Pile
Permit Number	C/007/042	Report Date 4/6/04
Mine Name	STAR POINT WASTE FUEL	
Company Name	SUNNYSIDE COGENERATION ASSOCIATES	
Excess Spoil Pile or Refuse Pile Identification	Pile Name:	Coarse Refuse Pile
	Pile Number	N/A
	MSHA ID Number	Abandoned by MSHA Jan 2004
Inspection Date	March 12, 2004	
Inspected By	Scott Carlson	
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)		First Quarter Inspection 2004
		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.	
	N/A	
	Removal of Refuse Material Only	

5. Final grading and revegetation of fill.

N/A

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

No smokers visible

Many small rills exist on the out slopes of the refuse pile. These have reportedly been there for some time and are typical for exposed refuse materials. They do not appear to pose a structural hazard. Runoff from the top surface is not directed to the out slope, therefore it is expected that re-grading would simply start new rills. Sediment from this erosion reports to existing sediment ponds. In time, SCA's operations to remove the pile will eliminate the problem.

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

MSHA has maintained jurisdiction over the Star Point Mine and its Coarse Refuse Pile for many years. This has been throughout the process of constructing the pile. In connection with the mining permit transfer from RAG to SCA in late 2003, a request for final abandonment of the refuse pile was made to MSHA. That request was granted by MSHA in a letter dated January 28, 2004. A copy of the request and approval from MSHA is attached.

In early 2004, the operator removed material from the lower face of the pile, resulting in a steeper slope. It was determined that this did not comply with the approved mining plan and the inspector issued a notice of violation (NOV # N04-49-3-1) on February 25, 2004. SCA immediately stopped its operation until the slope was restored. SCA then submitted a permit amendment on March 24, 2004 to allow for excavation of coal materials from the slopes with specific criteria regarding appropriately safe slopes. The amendment is currently under review by DOGM.

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 - Senior Project Manager
(Full Name and Title)

Signature: *S. Scott Carlson*

P.E. Number & State: 187727 - UT





Star Point Refuse Pile A, Northeast face

March 12, 2004

INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE		Disposal Area	
Permit Number	C/007/042	Report Date 4/6/04	
Mine Name	STAR POINT WASTE FUEL		
Company Name	SUNNYSIDE COGENERATION ASSOCIATES		
Excess Spoil Pile or Refuse Pile Identification	Pile Name:	Disposal Area	
	Pile Number	N/A	
	MSHA ID Number	N/A	
Inspection Date	March 12, 2004		
Inspected By	Scott Carlson		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)		First Quarter Inspection 2004	
		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. The site selected for the new disposal area is the old slurry ponds. Any topsoil recovered would have been addressed prior to the pond construction.			
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. Did not receive disposal 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.

No Construction occurred during this quarter.

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 Senior Project Manager
(Full Name and Title)

Signature: *S. Scott Carlson*

P.E. Number & State: 187727 - UT





**APPENDIX A
CERTIFIED REPORTS**

SECOND QUARTER INSPECTION

**IMPOUNDMENTS, REFUSE PILE AND DISPOSAL
AREA**

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Sediment Pond 005	
Permit Number	C/007/042	Report Date	7/8/04
Mine Name	STAR POINT WASTE FUEL		
Company Name	SUNNYSIDE COGENERATION ASSOCIATES		
Impoundment Identification	Impoundment Name	Sediment Pond 005	
	Impoundment Number	005	
	UPDES Permit Number	UTR000604	
	MSHA ID Number	N/A	
IMPOUNDMENT INSPECTION			
Inspection Date	June 23, 2004		
Inspected By	Scott Carlson		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)		Second Quarter Inspection 2004	
<p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>NONE</p>			
<p>Required for an impoundment which functions as a SEDIMENTATION POND.</p>	<p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Total Pond volume = 6.96 acre-feet</p> <p>Sediment Storage Capacity = 2.42 acre-feet Pond bottom elevation = 7387.3 60% sediment elevation = 7393 Maximum Sediment Depth Elevation = 7394.9 Existing Sediment Elevation = 7388 +/-</p>		
	<p>3. Principle and emergency spillway elevations.</p> <p>Spillway Elevation = 7401.3</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.

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 essentially empty.

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: 7/8/04

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

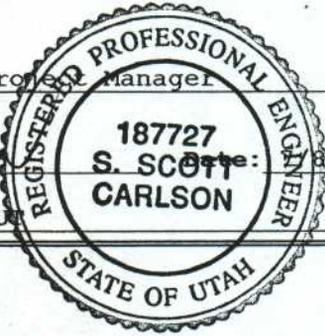
Certification Statement:

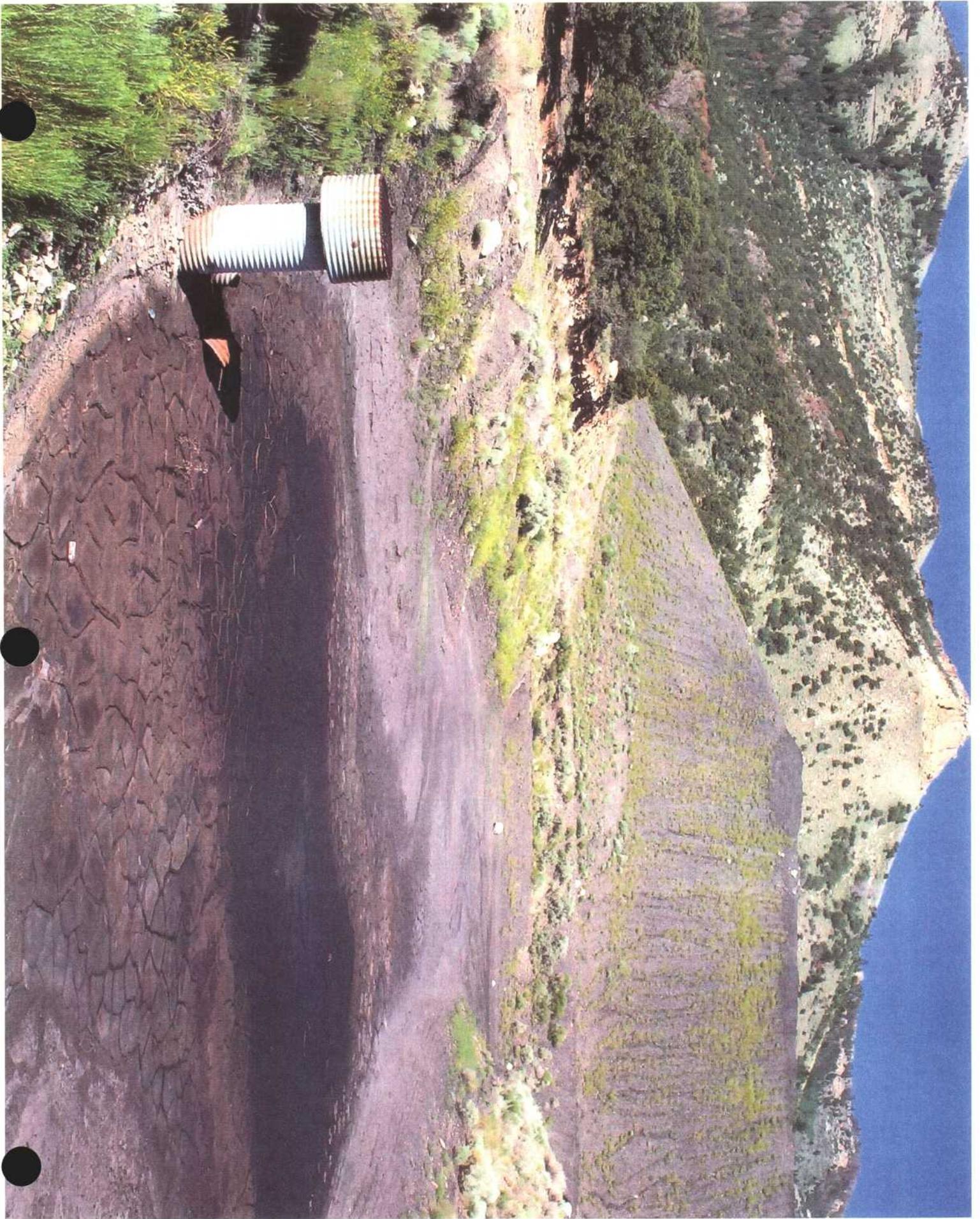
I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained 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 Senior Project Manager
(Full Name and Title)

Signature: *Scott Carlson*

P.E. Number & State: 187727 UT





IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Sediment Pond 006	
Permit Number	C/007/042	Report Date	7/8/04
Mine Name	STAR POINT WASTE FUEL		
Company Name	SUNNYSIDE COGENERATION ASSOCIATES		
Impoundment Identification	Impoundment Name	Sediment Pond 006	
	Impoundment Number	006	
	UPDES Permit Number	UTR000604	
	MSHA ID Number	N/A	
IMPOUNDMENT INSPECTION			
Inspection Date	June 23, 2004		
Inspected By	Scott Carlson		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)		Second Quarter Inspection 2004	
<p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>NONE</p>			
<p>Required for an impoundment which functions as a SEDIMENTATION POND.</p>	<p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Total Pond volume = 2.6 acre-feet</p> <p>Sediment Storage Capacity = 0.76 acre-feet</p> <p>Pond bottom elevation = 7132.7</p> <p>60% sediment elevation = 7138.8</p> <p>Maximum Sediment Depth Elevation = 7140.7</p> <p>Existing Sediment Elevation = 7134 +/-</p>		
	<p>3. Principle and emergency spillway elevations.</p> <p>Spillway Elevation = 7147.2</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.

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. Pond was essentially empty.
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: 7/8/04



IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Sediment Pond 009	
Permit Number	C/007/042	Report Date 7/8/04	
Mine Name	STAR POINT WASTE FUEL		
Company Name	SUNNYSIDE COGENERATION ASSOCIATES		
Impoundment Identification	Impoundment Name	Sediment Pond 009	
	Impoundment Number	009	
	UPDES Permit Number	UTR000604	
	MSHA ID Number	N/A	
IMPOUNDMENT INSPECTION			
Inspection Date	June 23, 2004		
Inspected By	Scott Carlson		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)		Second Quarter Inspection 2004	
<p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>NONE</p>			
<p>Required for an impoundment which functions as a SEDIMENTATION POND</p>	<p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Total Pond volume = 7.4 acre-feet</p> <p>Sediment Storage Capacity = 2.02 acre-feet</p> <p>Pond bottom elevation = 7435.0</p> <p>60% sediment elevation = 7437.7</p> <p>Maximum Sediment Depth Elevation = 7439.3</p> <p>Existing Sediment Elevation = 7436 +/-</p>		
	<p>3. Principle and emergency spillway elevations.</p> <p>Emergency Spillway Elevation = 7446.5</p> <p>Primary Drain Elevation = 7445.5</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.

No discharge, Pond was essentially empty. 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: 7/8/04

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. Senior Project Manager

Signature: *S. Scott Carlson* Date: 8/04

P.E. Number & State: 187727 - UT





INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE		Coarse Refuse Pile
Permit Number	C/007/042	Report Date 7/8/04
Mine Name	STAR POINT WASTE FUEL	
Company Name	SUNNYSIDE COGENERATION ASSOCIATES	
Excess Spoil Pile or Refuse Pile Identification	Pile Name:	Coarse Refuse Pile
	Pile Number	N/A
	MSHA ID Number	Abandoned by MSHA Jan 2004
Inspection Date	June 23, 2004	
Inspected By	Scott Carlson	
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)		Second Quarter Inspection 2004
		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.	
	N/A	
	Removal of Refuse Material Only	

5. Final grading and revegetation of fill.

N/A

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

No smokers visible

Many small rills exist on the out slopes of the refuse pile. These have reportedly been there for some time and are typical for exposed refuse materials. They do not appear to pose a structural hazard. Runoff from the top surface is not directed to the out slope, therefore it is expected that re-grading would simply start new rills. Sediment from this erosion reports to existing sediment ponds. In time, SCA's operations to remove the pile will eliminate the problem.

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

MSHA has maintained jurisdiction over the Star Point Mine and its Coarse Refuse Pile for many years. This has been throughout the process of constructing the pile. In connection with the mining permit transfer from RAG to SCA in late 2003, a request for final abandonment of the refuse pile was made to MSHA. That request was granted by MSHA in a letter dated January 28, 2004. Even though MSHA has classified this pile as abandoned, semi-annual inspections to review mining operations will still occur.

In early 2004, the operator removed material from the lower face of the pile, resulting in a steeper slope. It was determined that this did not comply with the approved mining plan and the inspector issued a notice of violation (NOV # N04-49-3-1) on February 25, 2004. SCA immediately stopped its operation until the slope was restored. SCA is again excavating coal materials from the top of the pile in compliance with the approved plan.

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 - Senior Project Manager
(Full Name and Title)

Signature: _____

P.E. Number & State: 187727 - UT





INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE		Disposal Area
Permit Number	C/007/042	Report Date 7/8/04
Mine Name	STAR POINT WASTE FUEL	
Company Name	SUNNYSIDE COGENERATION ASSOCIATES	
Excess Spoil Pile or Refuse Pile Identification	Pile Name:	Disposal Area
	Pile Number	N/A
	MSHA ID Number	N/A
Inspection Date	June 23, 2004	
Inspected By	Scott Carlson	
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)		Second Quarter Inspection 2004
		Attachments to Report? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
Field Evaluation		
<p>1. Foundation preparation, including the removal of all organic material and topsoil.</p> <p>The site selected for the new disposal area is the old slurry ponds. Any topsoil recovered would have been addressed prior to the pond construction.</p>		
<p>2. Placement of underdrains and protective filter systems.</p> <p>N/A</p>		
<p>3. Installation of final surface drainage systems.</p> <p>N/A</p>		
<p>4. Placement and compaction of fill materials.</p> <p>Did not receive disposal materials during this Quarter.</p>		

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.

No Construction occurred during this quarter.

Certification Statement

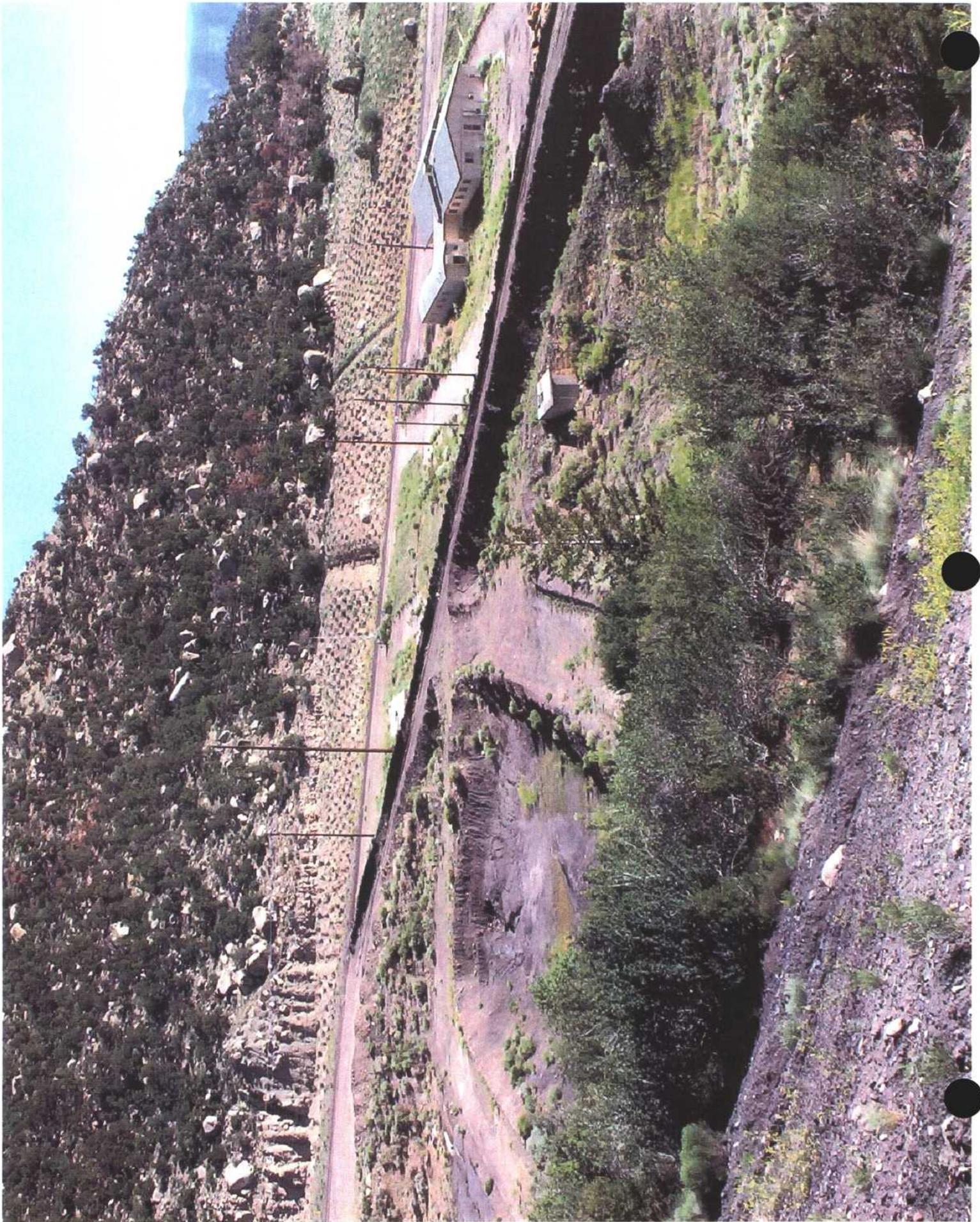
I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure 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 Senior Project Manager
(Full Name and Title)

Signature: *S. Scott Carlson*

P.E. Number & State: 187727 - UT







**APPENDIX A
CERTIFIED REPORTS**

THIRD QUARTER INSPECTION

**IMPOUNDMENTS, REFUSE PILE AND DISPOSAL
AREA**

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Sediment Pond 005	
Permit Number	C/007/042	Report Date 10/6/04	
Mine Name	STAR POINT WASTE FUEL		
Company Name	SUNNYSIDE COGENERATION ASSOCIATES		
Impoundment Identification	Impoundment Name	Sediment Pond 005	
	Impoundment Number	005	
	UPDES Permit Number	UTR000604	
	MSHA ID Number	N/A	
IMPOUNDMENT INSPECTION			
Inspection Date	Sept 15, 2004		
Inspected By	Scott Carlson		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)		Third Quarter Inspection 2004	
<p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>NONE</p>			
<p>Required for an impoundment which functions as a SEDIMENTATION POND.</p>	<p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Total Pond volume = 6.96 acre-feet</p> <p>Sediment Storage Capacity = 2.42 acre-feet Pond bottom elevation = 7387.3 60% sediment elevation = 7393 Maximum Sediment Depth Elevation = 7394.9 Existing Sediment Elevation = 7393 +/-</p>		
	<p>3. Principle and emergency spillway elevations.</p> <p>Spillway Elevation = 7401.3 Dewatering Orifice = 7394.9</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.

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 essentially empty.

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: 10/6/04

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT	Sediment Pond 005	
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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

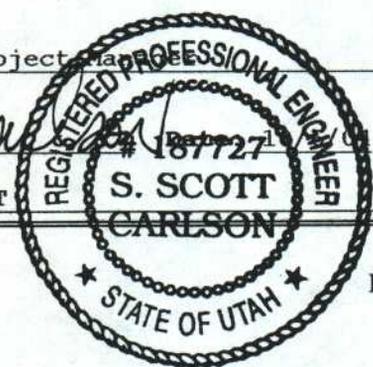
Certification Statement:

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 Senior Project Manager
 (Full Name and Title)

Signature: *S. Scott Carlson*

P.E. Number & State: 187727 UT



IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Sediment Pond 006	
Permit Number	C/007/042	Report Date	10/6/04
Mine Name	STAR POINT WASTE FUEL		
Company Name	SUNNYSIDE COGENERATION ASSOCIATES		
Impoundment Identification	Impoundment Name	Sediment Pond 006	
	Impoundment Number	006	
	UPDES Permit Number	UTPR000604	
	MSHA ID Number	N/A	
IMPOUNDMENT INSPECTION			
Inspection Date	Sept 15, 2004		
Inspected By	Scott Carlson		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)		Third Quarter Inspection 2004	
<p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>NONE</p>			
<p>Required for an impoundment which functions as a SEDIMENTATION POND.</p>	<p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Total Pond volume = 2.6 acre-feet</p> <p>Sediment Storage Capacity = 0.76 acre-feet Pond bottom elevation = 7132.7 60% sediment elevation = 7138.8 Maximum Sediment Depth Elevation = 7140.7 Existing Sediment Elevation = 7138 +/-</p>		
	<p>3. Principle and emergency spillway elevations.</p> <p>Spillway Elevation = 7147.2 Dewatering Orifice = 7140.7</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.

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. Pond was essentially empty.
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: 10/6/04

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

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. Senior Project Manager

Signature: *S. Scott Carlson*

P.E. Number & State: 187727 - UT



IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Sediment Pond 009	
Permit Number	C/007/042	Report Date	10/6/04
Mine Name	STAR POINT WASTE FUEL		
Company Name	SUNNYSIDE COGENERATION ASSOCIATES		
Impoundment Identification	Impoundment Name	Sediment Pond 009	
	Impoundment Number	009	
	UPDES Permit Number	UTPR000604	
	MSHA ID Number	N/A	
IMPOUNDMENT INSPECTION			
Inspection Date	Sept 15, 2004		
Inspected By	Scott Carlson		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)		Third Quarter Inspection 2004	
<p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>NONE</p>			
<p>Required for an impoundment which functions as a SEDIMENTATION POND</p>	<p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Total Pond volume = 7.4 acre-feet</p> <p>Sediment Storage Capacity = 2.02 acre-feet Pond bottom elevation = 7435.0 60% sediment elevation = 7437.7 Maximum Sediment Depth Elevation = 7439.3 Existing Sediment Elevation = 7437 +/-</p>		
	<p>3. Principle and emergency spillway elevations.</p> <p>Emergency Spillway Elevation = 7446.5 Primary Drain Elevation = 7445.5</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.

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

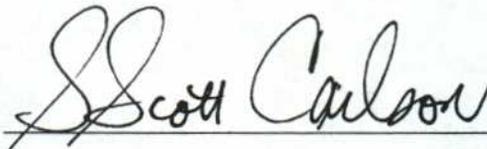
5. **Field Evaluation.** Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure 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:



Date: 10/6/04

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

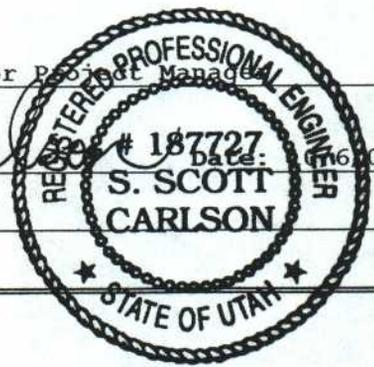
Certification Statement:

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. Senior Professional Engineer

Signature: *S. Scott Carlson* # 187727 Date: 6/6/04

P.E. Number & State: 187727 - UT



INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE		Coarse Refuse Pile
Permit Number	C/007/042	Report Date 10/6/04
Mine Name	STAR POINT WASTE FUEL	
Company Name	SUNNYSIDE COGENERATION ASSOCIATES	
Excess Spoil Pile or Refuse Pile Identification	File Name:	Coarse Refuse Pile
	File Number	N/A
	MSHA ID Number	Abandoned by MSHA Jan 2004
Inspection Date	Sept 15, 2004	
Inspected By	Scott Carlson	
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)		Third Quarter Inspection 2004
		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 Refuse Material Only	

5. Final grading and revegetation of fill.

N/A

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

No smokers visible

Many small rills exist on the out slopes of the refuse pile. These have reportedly been there for some time and are typical for exposed refuse materials. They do not appear to pose a structural hazard. Runoff from the top surface is not directed to the out slope, therefore it is expected that re-grading would simply start new rills. Sediment from this erosion reports to existing sediment ponds. In time, SCA's operations to remove the pile will eliminate the problem.

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

MSHA has maintained jurisdiction over the Star Point Mine and its Coarse Refuse Pile for many years. This has been throughout the process of constructing the pile. In connection with the mining permit transfer from RAG to SCA in late 2003, a request for final abandonment of the refuse pile was made to MSHA. That request was granted by MSHA in a letter dated January 28, 2004. Although MSHA has classified this pile as abandoned, semi-annual inspections to review mining operations will still occur.

In early 2004, the operator removed material from the lower face of the pile, resulting in a steeper slope. It was determined that this did not comply with the approved mining plan and the inspector issued a notice of violation (NOV # N04-49-3-1) on February 25, 2004. SCA immediately stopped its operation until the slope was restored. SCA is again excavating coal materials from the top of the pile in compliance with the approved plan.

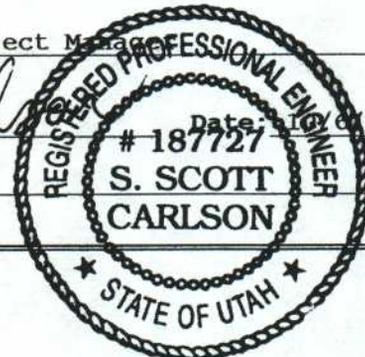
Certification Statement

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 - Senior Project Manager
(Full Name and Title)

Signature: *S. Scott Carlson*

P.E. Number & State: 187727 - UT



INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE		Disposal Area
Permit Number	C/007/042	Report Date 10/6/04
Mine Name	STAR POINT WASTE FUEL	
Company Name	SUNNYSIDE COGENERATION ASSOCIATES	
Excess Spoil Pile or Refuse Pile Identification	Pile Name:	Disposal Area
	Pile Number	N/A
	MSHA ID Number	N/A
Inspection Date	Sept 15, 2004	
Inspected By	Scott Carlson	
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)		Third Quarter Inspection 2004
		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.

The site selected for the new disposal area is the old slurry ponds. Any topsoil recovered would have been addressed prior to the pond construction.

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.

Did not receive disposal 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.

No Construction occurred during this quarter.

Certification Statement

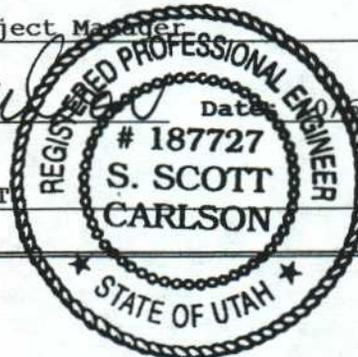
I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure 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 - Senior Project Manager
(Full Name and Title)

Signature: *S. Scott Carlson*

Date: 5/04

P.E. Number & State: 187727 - UT





**APPENDIX A
CERTIFIED REPORTS**

FOURTH QUARTER INSPECTION

**IMPOUNDMENTS, REFUSE PILE AND DISPOSAL
AREA**

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Sediment Pond 005	
Permit Number	C/007/042	Report Date 1/13/05	
Mine Name	STAR POINT WASTE FUEL		
Company Name	SUNNYSIDE COGENERATION ASSOCIATES		
Impoundment Identification	Impoundment Name	Sediment Pond 005	
	Impoundment Number	005	
	UPDES Permit Number	UTR000604	
	MSHA ID Number	N/A	

IMPOUNDMENT INSPECTION

Inspection Date	Dec 16, 2004		
Inspected By	Scott Carlson		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Fourth Quarter Inspection 2004		

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.

Total Pond volume = 6.96 acre-feet
 Sediment Storage Capacity = 2.42 acre-feet
 Pond bottom elevation = 7387.3
 60% sediment elevation = 7393
 Maximum Sediment Depth Elevation = 7394.9
 Existing Sediment Elevation = 7393 +/-

3. Principle and emergency spillway elevations.

Spillway Elevation = 7401.3
 Dewatering Orifice = 7394.9

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.

No discharge, inlet/outlet conditions are good

No structural or hazardous conditions exist.

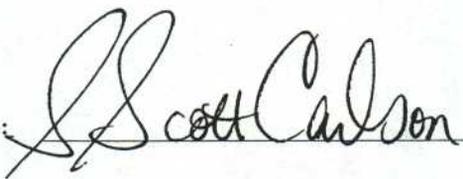
5. **Field Evaluation.** Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure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

Pond was essentially empty.

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: 

Date: 1/13/05

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT	Sediment Pond 005	
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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

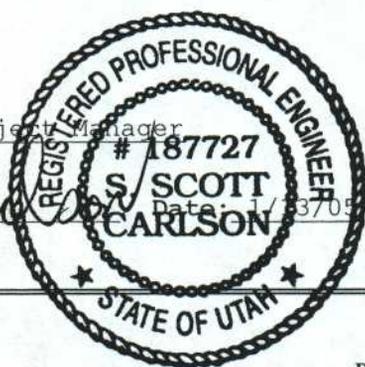
Although no discharge was occurring during the inspection, UPDES monitoring reported by Rusty Netz, Plant Engineer, indicate that this pond did discharge on October 22, 2004 after a series of several consecutive days of precipitation measuring one inch or more of rainfall. The UPDES monitoring report for October 2004 is attached and includes a letter of explanation, analytical results from lab testing on a sample taken during discharge, and the official discharge monitoring report.

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 Senior Project Manager
(Full Name and Title)

Signature: *S. Scott Carlson*
P.E. Number & State: 187727 UT



IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Sediment Pond 006	
Permit Number	C/007/042	Report Date	1/13/05
Mine Name	STAR POINT WASTE FUEL		
Company Name	SUNNYSIDE COGENERATION ASSOCIATES		
Impoundment Identification	Impoundment Name	Sediment Pond 006	
	Impoundment Number	006	
	UPDES Permit Number	UTR000604	
	MSHA ID Number	N/A	
IMPOUNDMENT INSPECTION			
Inspection Date	Dec 16, 2004		
Inspected By	Scott Carlson		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Fourth Quarter Inspection 2004		
<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>Total Pond volume = 2.6 acre-feet</p> <p>Sediment Storage Capacity = 0.76 acre-feet Pond bottom elevation = 7132.7 60% sediment elevation = 7138.8 Maximum Sediment Depth Elevation = 7140.7 Existing Sediment Elevation = 7138 +/-</p>		
	<p>3. Principle and emergency spillway elevations.</p> <p>Spillway Elevation = 7147.2 Dewatering Orifice = 7140.7</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.

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. Pond was essentially empty.
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: 1/13/05

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT	Sediment Pond 006	
---	-------------------	--

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

Although no discharge was occurring during the inspection, UPDES monitoring reported by Rusty Netz, Plant Engineer, indicate that this pond did discharge on October 22, 2004 after a series of several consecutive days of precipitation measuring one inch or more of rainfall. The UPDES monitoring report for October 2004 is attached and includes a letter of explanation, analytical results from lab testing on a sample taken during discharge, and the official discharge monitoring report.

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. Senior Project Manager
 Signature: *S. Scott Carlson*
 P.E. Number & State: 187727 - UT



IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Sediment Pond 009	
Permit Number	C/007/042	Report Date	1/13/05
Mine Name	STAR POINT WASTE FUEL		
Company Name	SUNNYSIDE COGENERATION ASSOCIATES		
Impoundment Identification	Impoundment Name	Sediment Pond 009	
	Impoundment Number	009	
	UPDES Permit Number	UTR000604	
	MSHA ID Number	N/A	

IMPOUNDMENT INSPECTION

Inspection Date	Dec 16, 2004		
Inspected By	Scott Carlson		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Fourth Quarter Inspection 2004		

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	<p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Total Pond volume = 7.4 acre-feet</p> <p>Sediment Storage Capacity = 2.02 acre-feet Pond bottom elevation = 7435.0 60% sediment elevation = 7437.7 Maximum Sediment Depth Elevation = 7439.3 Existing Sediment Elevation = 7437 +/-</p>
	<p>3. Principle and emergency spillway elevations.</p> <p>Emergency Spillway Elevation = 7446.5 Primary Drain Elevation = 7445.5</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.

No discharge, Pond was essentially empty. 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: 1/13/05

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. Senior Project Manager

Signature: *S. Scott Carlson*

P.E. Number & State: 187727 - UT



INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE		Coarse Refuse Pile
Permit Number	C/007/042	Report Date 1/13/05
Mine Name	STAR POINT WASTE FUEL	
Company Name	SUNNYSIDE COGENERATION ASSOCIATES	
Excess Spoil Pile or Refuse Pile Identification	Pile Name:	Coarse Refuse Pile
	Pile Number	N/A
	MSHA ID Number	Abandoned by MSHA Jan 2004
Inspection Date	Dec 16, 2004	
Inspected By	Scott Carlson	
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)		Fourth Quarter Inspection 2004
		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.	
	N/A	
	Removal of Refuse Material Only	

5. Final grading and revegetation of fill.

N/A

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

No smokers visible

Many small rills exist on the out slopes of the refuse pile. These have reportedly been there for some time and are typical for exposed refuse materials. They do not appear to pose a structural hazard. Runoff from the top surface is not directed to the out slope, therefore it is expected that re-grading would simply start new rills. Sediment from this erosion reports to existing sediment ponds. In time, SCA's operations to remove the pile will eliminate the problem.

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

MSHA has maintained jurisdiction over the Star Point Mine and its Coarse Refuse Pile for many years. This has been throughout the process of constructing the pile. In connection with the mining permit transfer from RAG to SCA in late 2003, a request for final abandonment of the refuse pile was made to MSHA. That request was granted by MSHA in a letter dated January 28, 2004. Although MSHA has classified this pile as abandoned, semi-annual inspections to review mining operations will still occur.

In early 2004, the operator removed material from the lower face of the pile, resulting in a steeper slope. It was determined that this did not comply with the approved mining plan and the inspector issued a notice of violation (NOV # N04-49-3-1) on February 25, 2004. SCA immediately stopped its operation until the slope was restored. SCA is again excavating coal materials from the top of the pile in compliance with the approved plan.

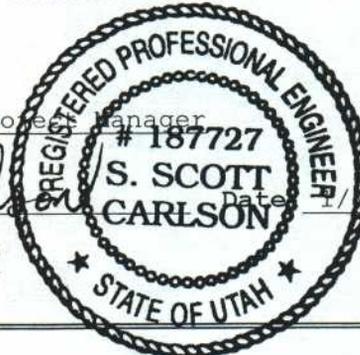
Certification Statement

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 - Senior Project Manager
(Full Name and Title)

Signature: *S. Scott Carlson* Date: 1/13/05

P.E. Number & State: 187727 - UT





COARSE REFUSE PILE

INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE		Disposal Area
Permit Number	C/007/042	Report Date 1/13/05
Mine Name	STAR POINT WASTE FUEL	
Company Name	SUNNYSIDE COGENERATION ASSOCIATES	
Excess Spoil Pile or Refuse Pile Identification	Pile Name:	Disposal Area
	Pile Number	N/A
	MSHA ID Number	N/A
Inspection Date	Dec 16, 2004	
Inspected By	Scott Carlson	
Reason for Inspection <small>(Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)</small>	Fourth Quarter Inspection 2004	
	Attachments to Report? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	
Field Evaluation		
<p>1. Foundation preparation, including the removal of all organic material and topsoil.</p> <p>The site selected for the new disposal area is the old slurry ponds. Any topsoil recovered would have been addressed prior to the pond construction.</p>		
<p>2. Placement of underdrains and protective filter systems.</p> <p>N/A</p>		
<p>3. Installation of final surface drainage systems.</p> <p>N/A</p>		
<p>4. Placement and compaction of fill materials.</p> <p>Did not receive disposal materials during this Quarter.</p>		

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.

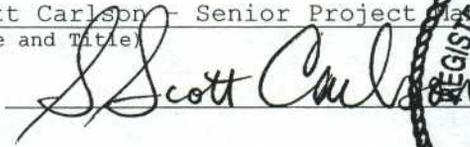
No Construction occurred during this quarter.

Certification Statement

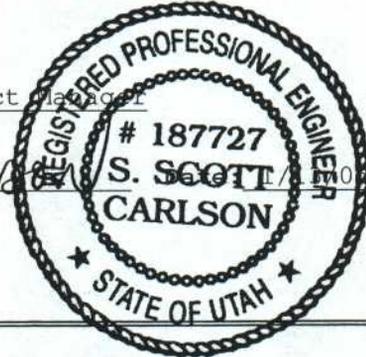
I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure 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.

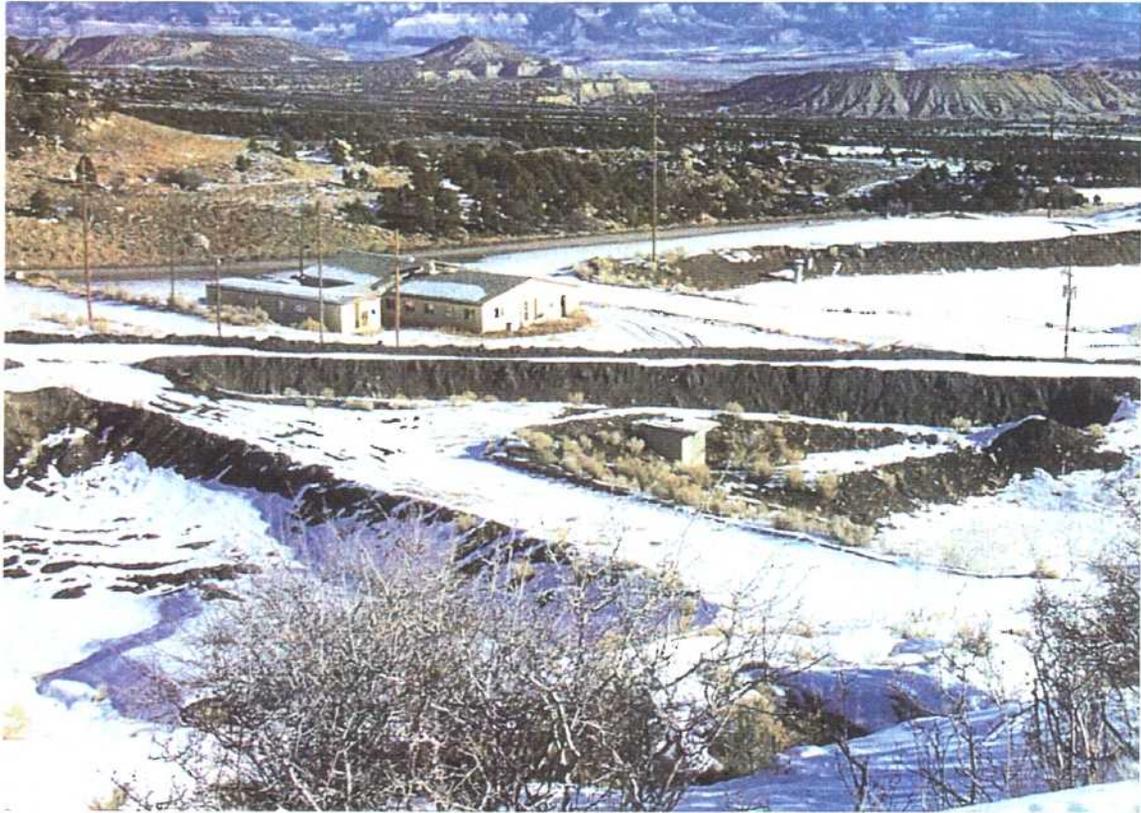
By: S. Scott Carlson - Senior Project Manager
(Full Name and Title)

Signature:



P.E. Number & State: 187727 - UT





Disposal Area looking north easterly

Dec 16, 2004

COPY



Sunnyside Cogeneration Associates

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

November 23, 2004

Kari Lundeen
Division of Water Quality
288 North 1460 West
Salt Lake City, Utah 84114

RE: October 2004, Monitoring Period
UPDES Permit No. UTG040025
Discharge Monitoring Report Forms
Sunnyside Cogeneration Facility(SCA)

Dear Kari:

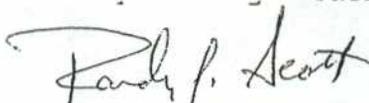
This letter summarizes the UPDES-permit field activities at the Star Point Site during October 2004. Rusty Netz, the Plant Engineer for the facility, has physically inspected the permit outfalls in accordance with the UPDES permit guidelines.

On October 22, 2004, Ponds 005 and 006, at the Star Point Facility, discharged due to continuing precipitation events. The discharge was the result of several consecutive days measuring one inch or more of rainfall. The discharges were sampled for parameters in accordance with section I.E.1. of SCA's UPDES Permit.

The sampling results for pond 006, pertaining to Iron and Total Suspended Solids, were above the permit protection levels. Pond 006 discharged for less than a 24-hour period and was the only discharge that SCA has history of. SCA believes that the higher Iron could have resulted from Iron scale within the discharge piping and the higher TSS was the result of continuing rainfall, which is not typical of our area.

Again, the discharge event only lasted for a 24-hour period, and no discharge has occurred since. Attached are the discharge sampling results and the discharge monitoring reports. If you have any questions or comments, please contact me or Rusty Netz at (801)888-4476.

Sunnyside Cogeneration Associates



Randy J. Scott
Plant Manager

cc. Rusty Netz, SCA
Plant File



November 3, 2004

Sunnyside Cogeneration Assoc.
P.O. Box 10
East Carbon Utah 84520

Sample identification by
Sunnyside Cogeneration Assoc.

ID:005-Star Point

RECEIVED 1700
SAMPLED

FIELD MEASUREMENTS
FLOW 10 pH 8.14

NOTES:

Kind of sample Water
reported to us

Sample taken at Sunnyside Cogeneration

Sample taken by Rusty Netz

Date sampled October 22, 2004

Date received October 22, 2004

Page 1 of 1

Analysis report no. 59-26991

Parameter	Result	MRL	Units	Method	Analized Date/Time/Analyst
Total	0.68	0.050	mg/l	EPA 200.7	11-02-2004 0825 BLP
Grease	<2	2	mg/l	EPA 413.1	10-28-2004 0805 BW
Solids, Settleable	0.1	0.1	ml/l	EPA 160.5	10-22-2004 1730 DI
Solids, Total Dissolved	310	30	mg/l	EPA 160.1	10-26-2004 0840 BW
Solids, Total Suspended	62	5	mg/l	EPA 160.2	10-26-2004 0840 BW



Respectfully submitted,
SGS NORTH AMERICA INC.

Huntington Laboratory

Minerals Services Division
P.O. Box 1020, Huntington, UT 84528 t (435) 653-2311 f (435) 653-2436 www.sgs.com

Member of the SGS Group



November 3, 2004

Sunnyside Cogeneration Assoc.
P.O. Box 10
East Carbon Utah 84520

Sample identification by
Sunnyside Cogeneration Assoc.

ID:006-Star Point

Kind of sample Water
reported to us

RECEIVED 1700
SAMPLED

Sample taken at Sunnyside Cogeneration

FIELD MEASUREMENTS
FLOW 30 pH 7.98

Sample taken by Rusty Netz

NOTES:

Date sampled October 22, 2004

Date received October 22, 2004

Page 1 of 1

Analysis report no. 59-26992

Parameter	Result	MRL	Units	Method	Analyzed		
					Date/Time	Analyst	
Total	3.83	0.050	mg/l	EPA 200.7	11-02-2004	0825	BLP
Grease	<2	2	mg/l	EPA 413.1	10-28-2004	0805	BW
Solids, Settleable	0.4	0.1	ml/l	EPA 160.5	10-22-2004	1730	DI
Solids, Total Dissolved	272	30	mg/l	EPA 160.1	10-26-2004	0840	BW
Solids, Total Suspended	248	5	mg/l	EPA 160.2	10-26-2004	0840	BW



Respectfully submitted,
SGS NORTH AMERICA INC

Huntington Laboratory

Minerals Services Division
P.O. Box 1020, Huntington, UT 84528 t(435) 653-2311 f(435) 653-2436 www.sgs.com

Member of the SGS Group

NAME STAR POINT REFUSE PILE
 ADDRESS P. O. BOX 10
 EAST CARBON UT 84520

UT0040075
 PERMIT NUMBER

006
 DISCHARGE NUMBER

MINOR

F - FINAL
 SEDPOND TO SERVICE BERRY CREEK

FACILITY STAR POINT REFUSE PILE
 LOCATION WATTIS UT 84520
 ATTN: RUSTZ NETZ, ENVIR COORDINATOR

MONITORING PERIOD						
YEAR	MO	DAY	TO	YEAR	MO	DAY
04	10	01		04	10	31

*** NO DISCHARGE ***
 NOTE: Read instructions before completing this form.

PARAMETER	X	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE	
		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS				
FLOW RATE			43,200	(07)						0	1/7	None
00056 1 0 0 EFFLUENT GROSS VALUE		REPORT	REPORT	GPD							ONCE/MONTH	MEASUREMENT
PH					7.98		7.98	(12)		0	1/7	GRAE
00400 1 0 0 EFFLUENT GROSS VALUE					6.5		9.0	SO			ONCE/MONTH	GRAE
SOLIDS, TOTAL SUSPENDED							248	(19)		1	1/7	GRAE
00530 P 0 0 SEE COMMENTS BELOW					25	35	70	DAILY MAX	MG/L		ONCE/MONTH	GRAE
SOLIDS, SETTLEABLE							0.4	(25)		0	1/7	GRAE
00545 0 0 0 SEE COMMENTS BELOW							0.5	DAILY MAX	ML/L		ONCE/MONTH	GRAE
OIL & GREASE							<2	(19)		0	1/7	GRAE
00556 1 0 0 EFFLUENT GROSS VALUE							10	DAILY MAX	MG/L		ONCE/MONTH	GRAE
IRON, TOTAL (AS FE)							3.83	(19)		1	1/7	GRAE
01045 1 0 0 EFFLUENT GROSS VALUE							1.0	DAILY MAX	MG/L		ONCE/MONTH	GRAE
FLOATING SOLIDS OR VISIBLE FOAM-VISUAL			0	(94)						0	1/7	VISUAL
45613 1 0 0 EFFLUENT GROSS VALUE			YES=1 NO=0								ONCE/MONTH	VISUAL

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER
 Randy Scott
 Plant Mgr
 TYPED OR PRINTED

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Randy Scott
 SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT

TELEPHONE 888 4476
 DATE 04/11/00
 AREA CODE NUMBER YEAR MO DAY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

SETTLEABLE SOLIDS SHALL BE LIMITED INSTEAD OF TSS DURING RUNOFF EVENTS CAUSED BY LESS THAN THE 10 INCH PER PRECIPITATION EVENT. ENTER N.A. WHEN NOT APPLICABLE. IF 30 DAY AVG TDS OF 500 MG/L CANNOT BE ACHIEVED AT EACH RAINFALL, THEN PERMITTEE IS LIMITED TO ONE (2000 LBS) PER DAY AS SHOWN FROM ALL CULVERTS OF

PERMITTEE NAME/ADDRESS (Include Facility Name/Location if Different)

NAME STAR POINT REFUSE PILE

ADDRESS P. O. BOX 10
EAST CARBON

UT 84520

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

DTG040025
PERMIT NUMBER

006 A
DISCHARGE NUMBER

MINOR

Form Approved
OMB No. 2040-0004

FACILITY STAR POINT REFUSE PILE

LOCATION WATTIS

UT 84520

ATTN: RUSTZ NETZ, ENVIR COORDINATOR

MONITORING PERIOD

YEAR	MO	DAY	YEAR	MO	DAY
04	10	01	04	10	31

F - FINAL
SEDPOND TO SERVICE BERRY CREEK

NO DISCHARGE
NOTE: Read instructions before completing this form.

PARAMETER	X	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS			
SANITARY WASTE DISCHARGED-ASSESSMENT	SAMPLE MEASUREMENT	*****	0	(94)	*****	*****	*****		0	1/7	Visual
45614 1 0 0	PERMIT REQUIREMENT	*****	0	ES=1	*****	*****	*****	*****		ONCE/MONTH	VISUAL
EFFLUENT GROSS VALUE	SAMPLE MEASUREMENT	*****	*****	DAILY	*****	*****	*****	*****		ONCE/MONTH	GRAB
SOLIDS, TOTAL DISSOLVED	PERMIT REQUIREMENT	*****	*****	NO=0	*****	*****	*****	*****		ONCE/MONTH	GRAB
70295 R 0 0	SAMPLE MEASUREMENT	*****	*****		*****	248	*****	(19)	0	1/7	GRAB
SEE COMMENTS BELOW	PERMIT REQUIREMENT	*****	*****		*****	REPORT 30DA AVG	*****	MC/L		ONCE/MONTH	GRAB
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER
Randy Scott
Plant Mgr
TYPED OR PRINTED

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT
Randy L. Scott

TELEPHONE 888 4476
DATE 04 11 22
AREA CODE NUMBER YEAR MO DAY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)
SETTLABLE SOLIDS SHALL BE LIMITED INSTEAD OF TSS DURING RUNOFF EVENTS CAUSED BY LESS THAN THE 10 YR/24 HR PRECIPITATION EVENT. WHEN NOT APPLICABLE. IF 30 DAY AVG TDS OF 500 MG/L CANNOT BE MAINTAINED AT EACH EFFLUENT, THEN PERMITTED IS LIMITED TO ONE TON (2000 LBS) PER DAY AS SHOWN FROM ALL OUTFALLS.

NAME STAR POINT REFUSE PILE
ADDRESS P. O. BOX 10
EAST CARBON UT 84520

UT040025
PERMIT NUMBER

0054
DISCHARGE NUMBER

MINOR

FACILITY STAR POINT REFUSE PILE
LOCATION WATTIS UT 84520

MONITORING PERIOD						
YEAR	MO	DAY	TO	YEAR	MO	DAY
04	10	01		04	10	31

F - FINAL
SEDPOND TO SERVICEBERRY CREEK

ATTN: RUSIZ NETZ, ENVIR COORDINATOR

*** NO DISCHARGE ***
NOTE: Read instructions before completing this form.

PARAMETER	X	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE	
		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS				
FLOW RATE			7200	(07)						0	1/7	Flow
00056 1 0 0 EFFLUENT GROSS VALUE		REPORT	REPORT	GPD							ONCE/ MONTH	MEASRE
PH					8.14		8.14	(12)		0	1/7	Grab
00400 1 0 0 EFFLUENT GROSS VALUE					6.5		7.0				ONCE/ MONTH	GRAB
SOLIDS, TOTAL SUSPENDED							62	(19)		0	1/7	Grab
00530 P 0 0 SEE COMMENTS BELOW					25	35	70				ONCE/ MONTH	GRAB
SOLIDS, SETTLEABLE							0.1	(25)		0	1/7	Grab
00545 Q 0 0 SEE COMMENTS BELOW							0.5				ONCE/ MONTH	GRAB
OIL & GREASE							<2	(19)		0	1/7	Grab
00556 1 0 0 EFFLUENT GROSS VALUE							10				ONCE/ MONTH	GRAB
IRON, TOTAL (AS FE)							0.68	(19)		0	1/7	Grab
01045 1 0 0 EFFLUENT GROSS VALUE							1.0				ONCE/ MONTH	GRAB
FLOATING SOLIDS OR VISIBLE FOAM-VISUAL			0	(94)						0	1/7	VIS
45613 1 0 0 EFFLUENT GROSS VALUE				YES=1 NO=0							ONCE/ MONTH	VISUAL

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER
Randy Scott
Plant Mgr
TYPED OR PRINTED

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Randy Scott
SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT

TELEPHONE 888
4251 4476
DATE 04 11 22
AREA CODE NUMBER YEAR MO DAY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

SETTLEABLE SOLIDS SHALL BE LIMITED INSTEAD OF TSS DURING RUNOFF EVENTS CAUSED BY LESS THAN THE 30 DAY 24 HR PRECIPITATION EVENT. ENTER N.A. WHEN NOT APPLICABLE. IF 30 DAY AVG TDS OF 500 MG/L CANNOT BE ACHIEVED AT EACH RAINFALL, THEN PERMITTEE IS LIMITED TO ONE LB (2000 LBS) PER DAY AS LONG AS ALL SUBSTANCES OF EPA Form 3320-1 (Rev. 3/99) Previous editions may be used

NAME STAR POINT REFUSE PILE
 ADDRESS P. O. BOX 10
 EAST CARBON UT 84520

BT6040025
 PERMIT NUMBER

005 A
 DISCHARGE NUMBER

MINOR

F - FINAL
 SEDPOND TO SERVICEBERRY CREEK

FACILITY STAR POINT REFUSE PILE
 LOCATION WATTIS UT 84520
 ATTN: RUSTZ NETZ, ENVIR COORDINATOR

MONITORING PERIOD						
YEAR	MO	DAY	TO	YEAR	MO	DAY
04	10	01		04	10	31

NO DISCHARGE 1-1
 NOTE: Read instructions before completing this form.

PARAMETER	X	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS			
SANITARY WASTE DISCHARGED-ASSESSMENT 85614 1 0 0 EFFLUENT GROSS VALUE	SAMPLE MEASUREMENT		0	(94)					0	1/2	VIS
	PERMIT REQUIREMENT		DAILY	ES=1 NO=0						ONCE/ MONTH	VISUAL
SOLIDS, TOTAL DISSOLVED 70295 R 0 0 SEE COMMENTS BELOW	SAMPLE MEASUREMENT					310		(19)	0	1/2	GRAH
	PERMIT REQUIREMENT					REPORT 30DA AVG		MG/L		ONCE/ MONTH	GRAH
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER
 Randy Scott
 Plant mgr
 TYPED OR PRINTED

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SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT
 Randy Scott

TELEPHONE 888
 437 41176
 AREA CODE NUMBER
 DATE 04 11 22
 YEAR MO DAY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

SETTLABLE SOLIDS SHALL BE LIMITED INSTEAD OF TSS DURING RUNOFF EVENTS CAUSED BY LESS THAN THE 30 NP/24 HR PRECIPITATION EVENT. ENTER N.A. WHEN NOT APPLICABLE. IF 30 DAY AVG TDS OF 500 MG/L CANNOT BE MAINTAINED AT EACH RAINFALL, THEN PERMITTEE IS LIMITED TO ONE TON (2000 LBS) PER DAY AS SUPPLIED BY ALL OUTFALLS.

PLMII THE NAME/ADDRESS (Include Facility Name/Location if Different)

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

NAME STAR POINT REFUSE PILE
ADDRESS P. O. BOX 10
EAST CARBON UT 84520

UTG040025
PERMIT NUMBER

SUM A
DISCHARGE NUMBER

MINOR

F - FINAL
TOTAL OF ALL OUTFALLS

FACILITY STAR POINT REFUSE PILE
LOCATION WATTIS UT 84520
ATTN: RUSTZ NETZ, ENVIR COORDINATOR

MONITORING PERIOD						
YEAR	MO	DAY	TO	YEAR	MO	DAY
04	10	01		04	10	31

NO DISCHARGE []
NOTE: Read instructions before completing this form.

PARAMETER	SAMPLE MEASUREMENT	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS			
SOLIDS, TOTAL DISSOLVED 70295 Q Q Q SEE COMMENTS BELOW	SAMPLE MEASUREMENT		N.A.	(26)					0	1/7	GRAB
	PERMIT REQUIREMENT		2000	DAILY EX LBS/DY						ONCE/MONTH	GRAB
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER
Randy SCOTT
Plant Mgr.
TYPED OR PRINTED

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT
Randy Scott

TELEPHONE 888 435 4476
DATE 04 11 22
AREA CODE NUMBER YEAR MO DAY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)
IF TDS IS 500 MG/L OR LESS AT EACH OUTFALL ENTER N.A. FOR SUM A.



**APPENDIX A
CERTIFIED REPORTS**

ANNUAL INSPECTION

**IMPOUNDMENTS, REFUSE PILE AND DISPOSAL
AREA**

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Sediment Pond 005	
Permit Number	C/007/042	Report Date	1/13/05
Mine Name	STAR POINT WASTE FUEL		
Company Name	SUNNYSIDE COGENERATION ASSOCIATES		
Impoundment Identification	Impoundment Name	Sediment Pond 005	
	Impoundment Number	005	
	UPDES Permit Number	UTR000604	
	MSHA ID Number	N/A	
IMPOUNDMENT INSPECTION			
Inspection Date	Dec 16, 2004		
Inspected By	Scott Carlson		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)		Annual Inspection 2004	
<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>Total Pond volume = 6.96 acre-feet</p> <p>Sediment Storage Capacity = 2.42 acre-feet Pond bottom elevation = 7387.3 60% sediment elevation = 7393 Maximum Sediment Depth Elevation = 7394.9 Existing Sediment Elevation = 7393 +/-</p>		
	<p>3. Principle and emergency spillway elevations.</p> <p>Spillway Elevation = 7401.3 Dewatering Orifice = 7394.9</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.

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 essentially empty.

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: 1/13/05

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT	Sediment Pond 005	
---	-------------------	--

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

Although no discharge was occurring during the inspection, UPDES monitoring reported by Rusty Netz, Plant Engineer, indicate that this pond did discharge on October 22, 2004 after a series of several consecutive days of precipitation measuring one inch or more of rainfall. The UPDES monitoring report for October 2004 is attached and includes a letter of explanation, analytical results from lab testing on a sample taken during discharge, and the official discharge monitoring report.

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 Senior Project Manager
 (Full Name and Title)
 Signature: *S. Scott Carlson* Date: 11/17/05
 P.E. Number & State: 187727 U



IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Sediment Pond 006	
Permit Number	C/007/042	Report Date	1/13/05
Mine Name	STAR POINT WASTE FUEL		
Company Name	SUNNYSIDE COGENERATION ASSOCIATES		
Impoundment Identification	Impoundment Name	Sediment Pond 006	
	Impoundment Number	006	
	UPDES Permit Number	UTR000604	
	MSHA ID Number	N/A	
IMPOUNDMENT INSPECTION			
Inspection Date	Dec 16, 2004		
Inspected By	Scott Carlson		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)		Annual Inspection 2004	
<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>Total Pond volume = 2.6 acre-feet</p> <p>Sediment Storage Capacity = 0.76 acre-feet Pond bottom elevation = 7132.7 60% sediment elevation = 7138.8 Maximum Sediment Depth Elevation = 7140.7 Existing Sediment Elevation = 7138 +/-</p>		
	<p>3. Principle and emergency spillway elevations.</p> <p>Spillway Elevation = 7147.2 Dewatering Orifice = 7140.7</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.

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. Pond was essentially empty. 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 Culson

Date: 1/13/05

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

Although no discharge was occurring during the inspection, UPDES monitoring reported by Rusty Netz, Plant Engineer, indicate that this pond did discharge on October 22, 2004 after a series of several consecutive days of precipitation measuring one inch or more of rainfall. The UPDES monitoring report for October 2004 is attached and includes a letter of explanation, analytical results from lab testing on a sample taken during discharge, and the official discharge monitoring report.

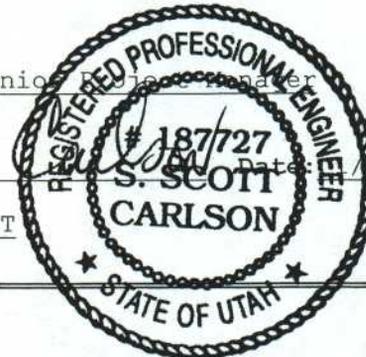
Certification Statement:

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. Senior Professional Engineer

Signature: *S. Scott*

P.E. Number & State: 187727 - UT



Date: 3/05

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Sediment Pond 009	
Permit Number	C/007/042	Report Date	1/13/05
Mine Name	STAR POINT WASTE FUEL		
Company Name	SUNNYSIDE COGENERATION ASSOCIATES		
Impoundment Identification	Impoundment Name	Sediment Pond 009	
	Impoundment Number	009	
	UPDES Permit Number	UTR000604	
	MSHA ID Number	N/A	
IMPOUNDMENT INSPECTION			
Inspection Date	Dec 16, 2004		
Inspected By	Scott Carlson		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)		Annual Inspection 2004	
<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>Total Pond volume = 7.4 acre-feet</p> <p>Sediment Storage Capacity = 2.02 acre-feet Pond bottom elevation = 7435.0 60% sediment elevation = 7437.7 Maximum Sediment Depth Elevation = 7439.3 Existing Sediment Elevation = 7437 +/-</p>		
	<p>3. Principle and emergency spillway elevations.</p> <p>Emergency Spillway Elevation = 7446.5 Primary Drain Elevation = 7445.5</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.

No discharge, Pond was essentially empty. 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: 1/13/05

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. Senior Project Manager
 Signature: *S. Scott Carlson*
 P.E. Number & State: 187727 - UT



INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE		Coarse Refuse Pile
Permit Number	C/007/042	Report Date 1/13/05
Mine Name	STAR POINT WASTE FUEL	
Company Name	SUNNYSIDE COGENERATION ASSOCIATES	
Excess Spoil Pile or Refuse Pile Identification	Pile Name:	Coarse Refuse Pile
	Pile Number	N/A
	MSHA ID Number	Abandoned by MSHA Jan 2004
Inspection Date	Dec 16, 2004	
Inspected By	Scott Carlson	
Reason for Inspection <small>(Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)</small>	Annual Inspection 2004	
	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.	
	N/A	
	Removal of Refuse Material Only	

5. Final grading and revegetation of fill.

N/A

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

No smokers visible

Many small rills exist on the out slopes of the refuse pile. These have reportedly been there for some time and are typical for exposed refuse materials. They do not appear to pose a structural hazard. Runoff from the top surface is not directed to the out slope, therefore it is expected that re-grading would simply start new rills. Sediment from this erosion reports to existing sediment ponds. In time, SCA's operations to remove the pile will eliminate the problem.

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

MSHA has maintained jurisdiction over the Star Point Mine and its Coarse Refuse Pile for many years. This has been throughout the process of constructing the pile. In connection with the mining permit transfer from RAG to SCA in late 2003, a request for final abandonment of the refuse pile was made to MSHA. That request was granted by MSHA in a letter dated January 28, 2004. Although MSHA has classified this pile as abandoned, semi-annual inspections to review mining operations will still occur.

In early 2004, the operator removed material from the lower face of the pile, resulting in a steeper slope. It was determined that this did not comply with the approved mining plan and the inspector issued a notice of violation (NOV # N04-49-3-1) on February 25, 2004. SCA immediately stopped its operation until the slope was restored. SCA is again excavating coal materials from the top of the pile in compliance with the approved plan.

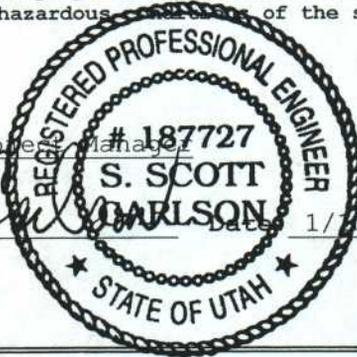
Certification Statement

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 - Senior Project Manager
(Full Name and Title)

Signature: *S. Scott Carlson* Date: 1/23/05

P.E. Number & State: 187727 - UT





COARSE REFUSE PILE

INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE		Disposal Area
Permit Number	C/007/042	Report Date 1/13/05
Mine Name	STAR POINT WASTE FUEL	
Company Name	SUNNYSIDE COGENERATION ASSOCIATES	
Excess Spoil Pile or Refuse Pile Identification	Pile Name:	Disposal Area
	Pile Number	N/A
	MSHA ID Number	N/A
Inspection Date	Dec 16, 2004	
Inspected By	Scott Carlson	
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Annual Inspection 2004	
	Attachments to Report? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	
Field Evaluation		
<p>1. Foundation preparation, including the removal of all organic material and topsoil.</p> <p>The site selected for the new disposal area is the old slurry ponds. Any topsoil recovered would have been addressed prior to the pond construction.</p>		
<p>2. Placement of underdrains and protective filter systems.</p> <p>N/A</p>		
<p>3. Installation of final surface drainage systems.</p> <p>N/A</p>		
<p>4. Placement and compaction of fill materials.</p> <p>Did not receive disposal materials during this Year.</p>		

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.

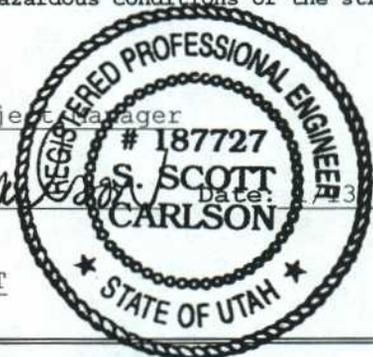
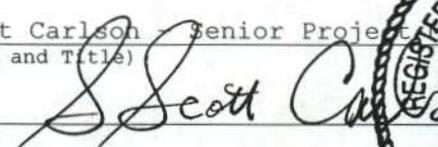
No Construction occurred during this year.

Certification Statement

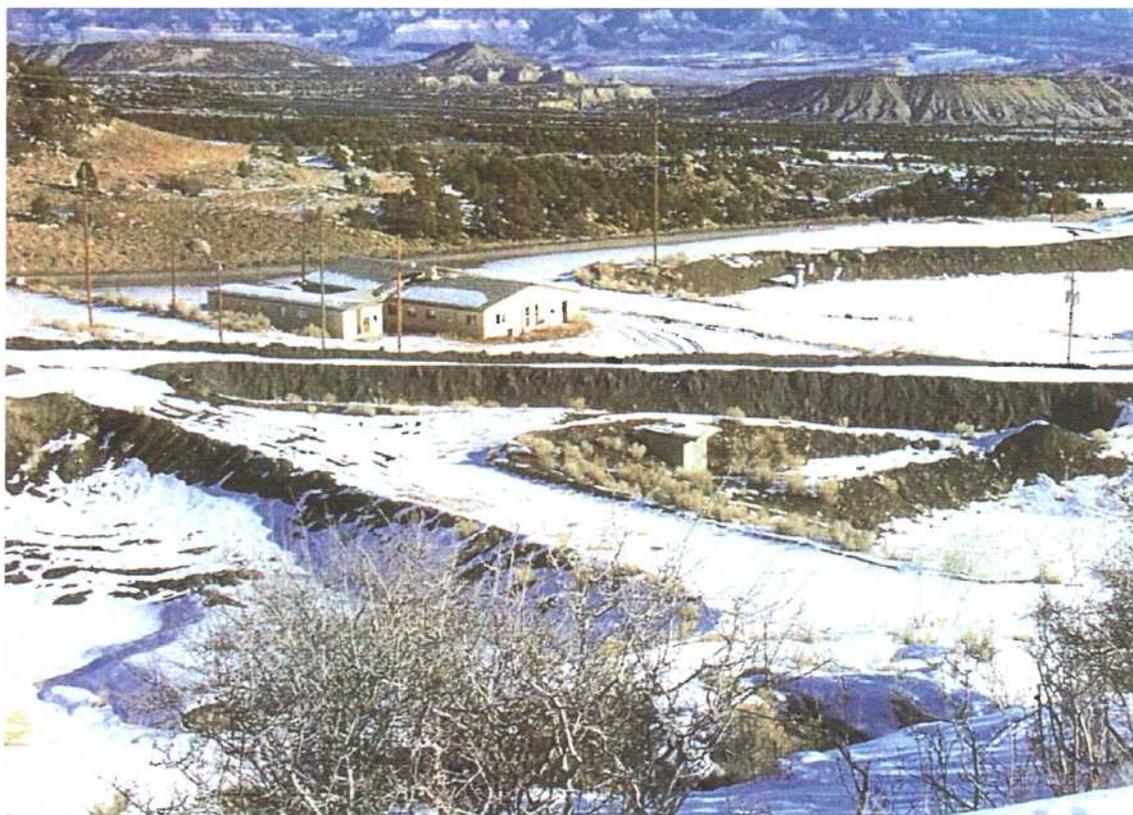
I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure 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 - Senior Project Manager
(Full Name and Title)

Signature: _____



P.E. Number & State: 187727 - UT



Disposal Area looking north easterly

Dec 16, 2004

COPY



Sunnyside Cogeneration Associates

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

November 23, 2004

Kari Lundeen
Division of Water Quality
288 North 1460 West
Salt Lake City, Utah 84114

RE: October 2004, Monitoring Period
UPDES Permit No. UTG040025
Discharge Monitoring Report Forms
Sunnyside Cogeneration Facility(SCA)

Dear Kari:

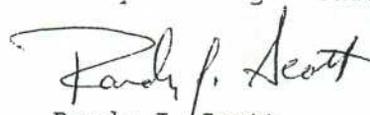
This letter summarizes the UPDES-permit field activities at the Star Point Site during October 2004. Rusty Netz, the Plant Engineer for the facility, has physically inspected the permit outfalls in accordance with the UPDES permit guidelines.

On October 22, 2004, Ponds 005 and 006, at the Star Point Facility, discharged due to continuing precipitation events. The discharge was the result of several consecutive days measuring one inch or more of rainfall. The discharges were sampled for parameters in accordance with section I.E.1. of SCA's UPDES Permit.

The sampling results for pond 006, pertaining to Iron and Total Suspended Solids, were above the permit protection levels. Pond 006 discharged for less than a 24-hour period and was the only discharge that SCA has history of. SCA believes that the higher Iron could have resulted from Iron scale within the discharge piping and the higher TSS was the result of continuing rainfall, which is not typical of our area.

Again, the discharge event only lasted for a 24-hour period, and no discharge has occurred since. Attached are the discharge sampling results and the discharge monitoring reports. If you have any questions or comments, please contact me or Rusty Netz at (801)888-4476.

Sunnyside Cogeneration Associates



Randy J. Scott
Plant Manager

cc. Rusty Netz, SCA
Plant File



November 3, 2004

Sunnyside Cogeneration Assoc.
P.O. Box 10
East Carbon Utah 84520

Sample identification by
Sunnyside Cogeneration Assoc.

ID:005-Star Point

Kind of sample Water
reported to us

RECEIVED 1700
SAMPLED

Sample taken at Sunnyside Cogeneration

FIELD MEASUREMENTS
FLOW 10 pH 8.14

Sample taken by Rusty Netz

Date sampled October 22, 2004

NOTES:

Date received October 22, 2004

Page 1 of 1

Analysis report no. 59-26991

Parameter	Result	MRL	Units	Method	Analyzed		
					Date/Time/Analyst		
Total	0.68	0.050	mg/l	EPA 200.7	11-02-2004	0825	BLP
Grease	<2	2	mg/l	EPA 413.1	10-28-2004	0805	BW
Solids, Settleable	0.1	0.1	ml/l	EPA 160.5	10-22-2004	1730	DI
Solids, Total Dissolved	310	30	mg/l	EPA 160.1	10-26-2004	0840	BW
Solids, Total Suspended	62	5	mg/l	EPA 160.2	10-26-2004	0840	BW



Respectfully submitted,
SGS NORTH AMERICA INC.

Huntington Laboratory

Minerals Services Division

P.O. Box 1020, Huntington, UT 84528 t(435) 653-2311 f(435) 653-2436 www.sgs.com

Member of the SGS Group



November 3, 2004

Sunnyside Cogeneration Assoc.
P.O. Box 10
East Carbon Utah 84520

Sample identification by
Sunnyside Cogeneration Assoc.

ID:006-Star Point

RECEIVED 1700

SAMPLED

FIELD MEASUREMENTS

FLOW 30 pH 7.98

NOTES:

Page 1 of 1

Analysis report no. 59-26992

Parameter	Result	MRL	Units	Method	Analyzed	
					Date/Time	Analyst
Total	3.83	0.050	mg/l	EPA 200.7	11-02-2004	0825 BLP
Grease	<2	2	mg/l	EPA 413.1	10-28-2004	0805 BW
Solids, Settleable	0.4	0.1	ml/l	EPA 160.5	10-22-2004	1730 DI
Solids, Total Dissolved	272	30	mg/l	EPA 160.1	10-26-2004	0840 BW
Solids, Total Suspended	248	5	mg/l	EPA 160.2	10-26-2004	0840 BW



Respectfully submitted,
SGS NORTH AMERICA INC

Huntington Laboratory

Minerals Services Division
P.O. Box 1020, Huntington, UT 84528 t (435) 653-2311 f (435) 653-2436 www.sgs.com

Member of the SGS Group

NAME STAR POINT REFUSE PILE

ADDRESS P. O. BOX 10
EAST CARBON UT 84520

UTG080075
PERMIT NUMBER

006
DISCHARGE NUMBER

MINOR

F - FINAL
SECOND TO SERVICE BERRY CREEK

FACILITY STAR POINT REFUSE PILE

LOCATION WATTIS UT 84520

MONITORING PERIOD						
YEAR	MO	DAY	TO	YEAR	MO	DAY
04	10	01		04	10	31

*** NO DISCHARGE ***
NOTE: Read instructions before completing this form.

ATTN: RUSTZ NETZ, ENVIR COORDINATOR

PARAMETER	X	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS			
FLOW RATE				(07)							
00056 1 0 0 EFFLUENT GROSS VALUE		REPORT	REPORT								
		JODA AVG	DAILY MX	GPD							
PH					7.98		7.98	(12)			
00400 1 0 0 EFFLUENT GROSS VALUE					6.5		9.0				
					MINIMUM		MAXIMUM	SD			
SOLIDS, TOTAL SUSPENDED							248	(19)			
00530 P 0 0 SEE COMMENTS BELOW					25	35	70				
					30DA AVG	MX 7D AV	DAILY MX	MG/L			
SOLIDS, SETTLEABLE							0.4	(25)			
00545 0 0 0 SEE COMMENTS BELOW							0.5				
							DAILY MX	ML/L			
OIL & GREASE							<2	(19)			
00556 1 0 0 EFFLUENT GROSS VALUE							10				
							DAILY MX	MG/L			
IRON, TOTAL (AS FE)							3.83	(19)			
01045 1 0 0 EFFLUENT GROSS VALUE							1.0				
							DAILY MX	MG/L			
FLOATING SOLIDS OR VISIBLE FOAM-VISUAL				(94)							
45613 1 0 0 EFFLUENT GROSS VALUE			0	YES=1 NO=0							
			DAILY MX								

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER
Randy Scott
Plant Mgr
TYPED OR PRINTED

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT
Randy Scott

TELEPHONE DATE
888
4476041120
AREA CODE NUMBER YEAR MO DAY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

SETTLEABLE SOLIDS SHALL BE LIMITED INSTEAD OF TSS DURING RUNOFF EVENTS CAUSED BY LESS THAN THE 10 YR/24 HR PRECIPITATION EVENT. ENTERN.A. WHEN NOT APPLICABLE IF 30 DAY AVG TDS OF 500 MG/L CANNOT BE ACHIEVED AT EACH INFALL, THEN PERMITTEE IS LIMITED TO ONE (2000 LBS) PER DAY AS SHOWN FROM ALL GULLIES.

NAME STAR POINT REFUSE PILE
 ADDRESS P. O. BOX 10
 EAST CARBON UT 84520

DTG040025 PERMIT NUMBER 006 A DISCHARGE NUMBER

MINOR

F - FINAL
 SEDPOND TO SERVICE BERRY CREEK

FACILITY STAR POINT REFUSE PILE
 LOCATION WATTIS UT 84520
 ATTN: RUSTZ NETZ, ENVIR COORDINATOR

MONITORING PERIOD						
YEAR	MO	DAY	YEAR	MO	DAY	
04	10	01	TO	04	10	31

*** NO DISCHARGE ***
 NOTE: Read instructions before completing this form.

PARAMETER	SAMPLE MEASUREMENT	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS			
SANITARY WASTE DISCHARGED-ASSESSMENT 45814 1 0 0 EFFLUENT GROSS VALUE	SAMPLE MEASUREMENT	*****	0	(94)	*****	*****	*****		0	1/7	Visual
	PERMIT REQUIREMENT	*****	0	YES=1 DAILY MAX NO=0	*****	*****	*****	***			ONCE/MONTH
SOLIDS, TOTAL DISSOLVED 70295 R 0 0 SEE COMMENTS BELOW	SAMPLE MEASUREMENT	*****	*****		*****	248	*****	(19)	0	1/7	Grab
	PERMIT REQUIREMENT	*****	*****	***	*****	REPORT 30DA AVG	*****	***			ONCE/MONTH
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER
 Randy Scott
 Plant Mgr
 TYPED OR PRINTED

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SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT
 Randy L. Scott

TELEPHONE 888 4476
 DATE 04 11 22
 AREA CODE NUMBER YEAR MO DAY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)
 SETTLEABLE SOLIDS SHALL BE LIMITED INSTEAD OF TSS DURING RUNOFF EVENTS CAUSED BY LESS THAN THE 10 YR/24 HR PRECIPITATION EVENT. ENTER N.A. WHEN NOT APPLICABLE. IF 30 DAY AVG TDS OF 500 MG/L CANNOT BE ACHIEVED AT EACH OFFFALL, THIS PERMITTEE IS LIMITED TO ONE TON (2000 LBS) PER DAY AS SHOWN FROM ALL OFFFALLS.

NAME STAR POINT REFUSE PILE
 ADDRESS P. O. BOX 10
 EAST CARBON UT 84520

UTC040025
 PERMIT NUMBER

0054
 DISCHARGE NUMBER

MINOR

F - FINAL
 SEDPOND T. SERVICEBERRY CENTER

FACILITY STAR POINT REFUSE PILE
 LOCATION WATTIS UT 84520
 ATTN: RUSTIZ NETZ, ENVIR COORDINATOR

MONITORING PERIOD						
YEAR	MO	DAY	TO	YEAR	MO	DAY
04	10	01		04	10	31

NO DISCHARGE 111
 NOTE: Read instructions before completing this form.

PARAMETER	SAMPLE MEASUREMENT	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE	
		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS				
FLOW RATE			7200	(07)						0	1/7	Flow
00056 1 0 0 EFFLUENT GROSS VALUE	PERMIT REQUIREMENT	REPORT	REPORT								ONCE/MONTH	MEASUREMENT
PH					8.14		8.14	(12)		0	1/7	Flow
00400 1 0 0 EFFLUENT GROSS VALUE	PERMIT REQUIREMENT				6.5		9.0				ONCE/MONTH	GRAB
SOLIDS, TOTAL SUSPENDED							62	(19)		0	1/7	Flow
00530 P 0 0 SEE COMMENTS BELOW	PERMIT REQUIREMENT				25	35	70				ONCE/MONTH	GRAB
SOLIDS, SETTLEABLE							0.1	(25)		0	1/7	Flow
00545 Q 0 0 SEE COMMENTS BELOW	PERMIT REQUIREMENT						0.5				ONCE/MONTH	GRAB
OIL & GREASE							<2	(19)		0	1/7	Flow
00556 1 0 0 EFFLUENT GROSS VALUE	PERMIT REQUIREMENT						10				ONCE/MONTH	GRAB
IRON, TOTAL (AS FE)							0.68	(19)		0	1/7	Flow
01045 1 0 0 EFFLUENT GROSS VALUE	PERMIT REQUIREMENT						1.0				ONCE/MONTH	GRAB
FLOATING SOLIDS OR VISIBLE FOAM-VISUAL			0	(94)						0	1/7	Flow
45613 1 0 0 EFFLUENT GROSS VALUE	PERMIT REQUIREMENT		0	YES=1 NO=0							ONCE/MONTH	VISUAL

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER
 Randy Scott
 Plant Mgr
 TYPED OR PRINTED

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT
 Randy Scott

TELEPHONE 888
 427 4476
 DATE 04 11 22
 AREA CODE NUMBER YEAR MO DAY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

SETTLEABLE SOLIDS SHALL BE LIMITED INSTEAD OF TSS DURING RUNOFF EVENTS CAUSED BY LESS THAN THE 10 YR/24 HR PRECIPITATION EVENT. ENTERS.A.WHEN NOT APPLICABLE. IF 30 DAY AVG TDS OF 500 MG/L CANNOT BE ACHIEVED AT EACH RAINFALL, THEN PERMITTEE IS LIMITED TO ONE (2000 LBS) PER DAY AS LONG AS ALL OTHERS ARE WITHIN RANGE OF

NAME STAR POINT REFUSE PILE
 ADDRESS P. O. BOX 10
 EAST CARBON UT 84520

UTG040025
 PERMIT NUMBER

005 A
 DISCHARGE NUMBER

MINOR

F - FINAL
 SEDPOND TO SERVICEBERRY CREEK

FACILITY STAR POINT REFUSE PILE
 LOCATION WATTIS UT 84520
 ATTN: RUSTZ NETZ, ENVIR COORDINATOR

MONITORING PERIOD						
YEAR	MO	DAY	TO	YEAR	MO	DAY
04	10	01		04	10	31

*** NO DISCHARGE ***
 NOTE: Read instructions before completing this form.

PARAMETER	SAMPLE MEASUREMENT	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS			
SANITARY WASTE DISCHARGED-ASSESSMENT		*****	0	(94)	*****	*****	*****		0	1/2	ULS
45614 I U U	PERMIT REQUIREMENT	*****	ES=1		*****	*****	*****			ONCE/	VISUAL
EFFLUENT GROSS VALUE		*****	DAILY MAX	NO=0	*****	*****	*****			MONTH	
SOLIDS, TOTAL DISSOLVED	SAMPLE MEASUREMENT	*****	*****		*****	310	*****	(19)	0	1/2	GRAB
70295 R U U	PERMIT REQUIREMENT	*****	*****	*****	*****	REPORT	*****			ONCE/	GRAB
SEE COMMENTS BELOW		*****	*****	*****	*****	30DA AVG	*****	MG/L		MONTH	
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										

NAME/TITLE PRINCIPAL EXECUTIVE OFFICER
 Randy Scott
 Plant MGR
 TYPED OR PRINTED

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Randy Scott
 SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT

TELEPHONE 888
 4357 4176
 AREA CODE NUMBER
 DATE 04 11 22
 YEAR MO DAY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)

SETTLABLE SOLIDS SHALL BE LIMITED INSTEAD OF TSS DURING RUNOFF EVENTS CAUSED BY LESS THAN THE 10 YR/24 HR PRECIPITATION EVENT. ENTER N.A. WHEN NOT APPLICABLE. IF 30 DAY AVG TDS OF 500 MG/L CANNOT BE ACHIEVED AT EACH INFALL, THEN PERMITTEE IS LIMITED TO ONE TON (2000 LBS) PER DAY AS SHOWN FROM ALL OUTFALLS.

PERMITTEE NAME/ADDRESS (Include Facility Name/ Location if Different)

NAME STAR POINT REFUSE PILE
ADDRESS P. O. BOX 10
EAST CARBON UT 84520

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
DISCHARGE MONITORING REPORT (DMR)

UTG040025 PERMIT NUMBER
SUM A DISCHARGE NUMBER

MINOR

F - FINAL
TOTAL OF ALL OUTFALLS

FACILITY STAR POINT REFUSE PILE
LOCATION WATTIS UT 84520
ATTN: RUSTZ NETZ, ENVIR COORDINATOR

MONITORING PERIOD						
YEAR	MO	DAY	TO	YEAR	MO	DAY
04	10	01		04	10	31

*** NO DISCHARGE ***
NOTE: Read instructions before completing this form.

PARAMETER	X	QUANTITY OR LOADING			QUALITY OR CONCENTRATION				NO. EX	FREQUENCY OF ANALYSIS	SAMPLE TYPE
		AVERAGE	MAXIMUM	UNITS	MINIMUM	AVERAGE	MAXIMUM	UNITS			
SOLIDS, TOTAL DISSOLVED 79295 Q U O SEE COMMENTS BELOW	SAMPLE MEASUREMENT	*****	N.A.	(26)	*****	*****	*****		0	1/7	GRAB
	PERMIT REQUIREMENT	*****	2000	DAILY MX LBS/DY	*****	*****	*****	*****		ONCE/ MONTH	GRAB
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										
	SAMPLE MEASUREMENT										
	PERMIT REQUIREMENT										

NAME/TITLE-PRINCIPAL EXECUTIVE OFFICER
Randy Scott
Plant Mgr.
TYPED OR PRINTED

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT
Randy Scott

TELEPHONE 888 435 4476
DATE 04 11 22
AREA CODE NUMBER YEAR MO DAY

COMMENTS AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here)
IF TDS IS 500 MG/L OR LESS AT EACH OUTFALL ENTER N.A. FOR SUM A.



APPENDIX C
DEPARTMENT OF COMMERCE
CERTIFICATES OF EXISTENCE



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

03/11/2005
4911242-015003112005-450155

CERTIFICATE OF EXISTENCE

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

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



Kathy Berg

Kathy Berg
Director
Division of Corporations and Commercial Code



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03/11/2005
2113550-018103112005-450153

CERTIFICATE OF EXISTENCE

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

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



Kathy Berg

Kathy Berg
Director
Division of Corporations and Commercial Code



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03/21/2005
1215877-014303212005-450481

CERTIFICATE OF EXISTENCE

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

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



Kathy Berg

Kathy Berg
Director
Division of Corporations and Commercial Code



APPENDIX D MINE MAP



APPENDIX E
MSHA ABANDONMENT OF THE REFUSE PILE

U. S. Department of Labor

Mine Safety and Health Administration
P O Box 25367
Denver, Colorado 80225



JAN 28 2004

Coal Mine Safety and Health
District 9

Randy J. Scott
Plant Manager
Sunnyside Cogeneration Associates
One Power Plant Road
Sunnyside, UT 84539

RE: Star Point Refuse Pile
Mine ID No. 42-02334
Coarse Refuse Pile
ID No. 1211-UT-09-02334-01
Refuse Pile Abandonment

Dear Mr. Scott:

The request for final abandonment of the referenced refuse pile is approved in accordance with 30 CFR 77.215-4. The request for final abandonment was submitted in a letter dated October 14, 2003.

MSHA personnel have inspected the site and reviewed the documentation and have determined that the refuse pile meets the requirements for abandonment which include provisions for major slope stability and the prevention of both burning and the future impoundment of water.

The referenced refuse pile identification number will be removed from the mine file. MSHA inspection and reporting requirements no longer apply to the referenced structure.

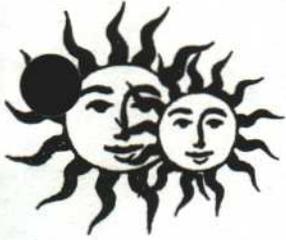
If you have any questions regarding this approval, please contact Billy Owens at 303-231-5590 or Ronald Gehrke at 303-231-5587.

Sincerely,

A handwritten signature in cursive script that reads "Allyn C. Davis".

Allyn C. Davis
District Manager

Enclosure



Sunnyside Cogeneration Associates

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

1320
10/17/03

October 14, 2003

Allyn C. Davis
District Manager
Mine Safety & Health Administration
P.O.Box 25367 D.F.C.
Denver, Co. 80225



RE: Request for Abandonment of the Star Point Refuse Pile
Sunnyside Cogeneration Associates (SCA)
Star Point Refuse Pile, Mine I.D. Number 42-02334
Coarse Refuse Pile, Number 1211-UT-09-02334-01

Dear Mr. Davis

SCA would like to petition for an abandonment classification of its Star Point Refuse Pile (#1211-UT-09-02334-01) located in Sage Brush Canyon 23 miles Southwest of Price, Utah. CFR 30 Part 77.215-4 requires, for a refuse pile abandonment classification, that provisions have been met to prevent burning and future impoundment of water, and provide for major slope stability. SCA believes that the Star Point Refuse Pile meets the requirements for abandonment and poses No safety hazard to the general public, due to the location of the refuse pile, the way in which the refuse pile was constructed, and the way in which SCA is now removing material from the refuse pile.

SCA acquired the Star Point Refuse Pile in year 2002, as a source of fuel for its power generation facility located in Sunnyside, Utah. The Star Point material will be loaded into haulage trucks, using a front-end loader, and transported directly to the SCA facility.

Historical records, to date, show no history of fires/burning of the Star Point Refuse pile. The coal refuse was placed in two-foot lifts and compacted when the pile was being constructed. This method of placement and compaction limits the potential for burning. Also, SCA will be removing material on an ongoing basis, which also helps limit the potential for burning. If burning should occur, we will be onsite to immediately extinguish it.

The Star Point Refuse Pile does not impound water. The top of the pile slopes from North to South. Culverts on the South side of the pile, collecting all precipitation, report to a sedimentation pond at the base of the pile. SCA, while removing material, will maintain positive drainage to eliminate impoundment.

Major slope stability was achieved by placing and compacting the material in two-foot lifts, while maintaining an approximate slope of 3H:1V. Also, historical data indicates no surface water or shallow subsurface water within the footprint of the refuse pile, which if present could have an effect on slope/pile stability. Additionally, SCA will be continually removing material; lowering the overall height of the refuse pile and lessening any potential for slope instability.

Again, SCA believes the Star Point Refuse Pile meets the requirements of CFR 30 part 77.215-4, and would like to request, from the Coal Mine Health and Safety District Manager, an abandonment classification. If you have any questions or if further clarification is needed please contact me or Rusty Netz at (435) 888-4476.

Sincerely,

Agent For
Sunnyside Cogeneration Associates


Randy J. Scott
Plant Manager

c.c. Ted E. Farmer/Supervisory CMS&H Inspector-Price
Rusty Netz, COSI
Plant File