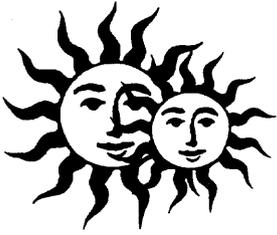


0003



Sunnyside Cogeneration Associates

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

January 12, 2007

D. Wayne Hedberg
Division of Oil, Gas & Mining
1594 W. North Temple, Suite 1210
Salt Lake City, Utah 84114

RE: Midterm Permit Deficiencies, Task ID #2620
Sunnyside Cogeneration Associate (SCA)
Star Point Refuse, Permit No. C/007/042

Incoming
C/007/0042
#2737

Mr. Hedberg:

Please find enclosed five copies of SCA's permit amendment pertaining to the Star Point midterm review deficiencies. The department determined that SCA's Star Point permit was deficient in the areas of Section 112.230 and 112.230a, which addresses the resolution of OSM's abandoned mine reclamation fees.

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

Thank You,

Michael J. Blakey
Agent For
Sunnyside Cogeneration Associates

Cc: Robert Escalante
Rusty Netz
Plant File

RECEIVED
JAN 17 2007
DIV. OF OIL, GAS & MINING

APPLICATION FOR PERMIT PROCESSING

Permit Change New Permit Renewal Exploration Bond Release

Permittee: Sunnyside Cogeneration Associates

Mine: Star Point Waste Fuel

Permit Number: C/007/042

Title: Star Point Waste Fuel

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

To update the Star Point permit to include 2004 OSM letter pertaining to reclamation fees

Instructions: If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

- Yes No 1. Change in the size of the Permit Area? Acres: _____ Disturbed Are: _____ increase decrease.
- Yes No 2. Is the application submitted as a result of a Division Order? DO# _____
- Yes No 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?
- Yes No 4. Does the application include operations in hydrologic basins other than as currently approved?
- Yes No 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?
- Yes No 6. Does the application require or include public notice publication?
- Yes No 7. Does the application require or include ownership, control, right-of-entry, or compliance information?
- Yes No 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
- Yes No 9. Is the application submitted as a result of a Violation? NOV # _____
- Yes No 10. Is the application submitted as a result of other laws or regulations or policies?
Explain: As a result of the Departments midterm review of the Star Point Refuse permit
- Yes No 11. Does the application affect the surface landowner or change the post mining land use?
- Yes No 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)
- Yes No 13. Does the application require or include collection and reporting of any baseline information?
- Yes No 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
- Yes No 15. Does the application require or include soil removal, storage or placement?
- Yes No 16. Does the application require or include vegetation monitoring, removal or revegetation activities?
- Yes No 17. Does the application require or include construction, modification, or removal of surface facilities?
- Yes No 18. Does the application require or include water monitoring, sediment or drainage control measures?
- Yes No 19. Does the application require or include certified designs, maps or calculation?
- Yes No 20. Does the application require or include subsidence control or monitoring?
- Yes No 21. Have reclamation costs for bonding been provided?
- Yes No 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?
- Yes No 23. Does the application affect permits issued by other agencies or permits issued to other entities?

Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you. (These numbers include a copy for the Price Field Office)

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

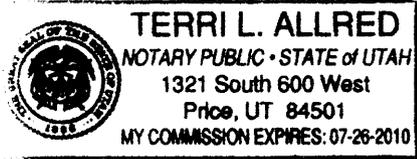
Michael Blakeney
Print Name

M. Blakeney
Sign Name, Position, Date

Subscribed and sworn to before me this 15 day of Jan, 2007

T. Allred
Notary Public

My commission Expires: 01-26, 2010
Attest: State of UTAH } ss:
County of CARPER



<p>For Office Use Only:</p>	<p>Assigned Tracking Number:</p>	<p>Received by Oil, Gas & Mining RECEIVED JAN 17 2007 DIV. OF OIL, GAS & MINING</p>
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Exhibit 114.100a, Right of Entry Authorization documents	Page 100 - 8
Exhibit 114.100b, Memorandum of Surface Use Agreement & Quitclaim Deed	Page 100 - 8
Exhibit 114.200a, Bill of Sale	Page 100 - 6
Exhibit 115.300a, County Road 290 Public Notice publication	Page 100 - 10
Exhibit 115.300b, County Road public access description	Page 100 - 10
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110. LEGAL, FINANCIAL, COMPLIANCE AND INFORMATION.

111.100-400. INTRODUCTION.

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

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

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

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

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

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

Psomas has relied on data and maps from previous approved permits for Star Point Mines. This permit application has been revised to reflect the SCA - Star Point Permit Area.

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

112. IDENTIFICATION OF INTERESTS.

112.100. Statement as to Type of Entity.

The Applicant, Sunnyside Cogeneration Associates ("SCA"), is a Utah joint venture between Sunnyside Holdings I, Inc. and Sunnyside II, L.P. Information regarding these entities and other parent or controlling corporations is described in the sections that follow.

112.200-210. Information Regarding the Applicant.

Additional information regarding the applicant may be obtained by contacting:

Plant Manager

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

Plant Engineer

Attn: Rusty Netz
One Power Plant Road,
P.O. Box 159
Sunnyside, UT 84539
EIN: 52-2318424
Phone: (435) 888-4476
Fax: (435) 888-2538

Utah Counsel

Fred W. Finlinson, Esq.
Brian W. Burnett, Esq.
Callister Nebeker & McCullough
10 East South Temple
Salt Lake City, UT 84133
Phone: (801) 530-7300

Environmental
Manager

Attn: Ramiro Garcia
COSI
95 Enterprise, Suite 300
Aliso Viejo, CA 92656
Phone: (949) 425-4755
Fax: (949) 852-1720

General Manager

Kendall Reed
ACI
RR2 Box 56, Highway 3016
Clarion, PA 16214
Phone: (814) 226-8001
Fax: (814) 226-7909

112.220. Information Regarding the Resident Agent.

Sunnyside Cogeneration Associates
Attn: Michael J. Blakey, Plant Manager
P.O. Box 159, Sunnyside, UT 84539 (mailing address)
One Power Plant Road, Sunnyside, UT 84539 (street address)
Phone: (435) 888-4476
EIN: 52-2318424

112.230. Information Regarding Abandoned Mine Land Reclamation Fee.

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

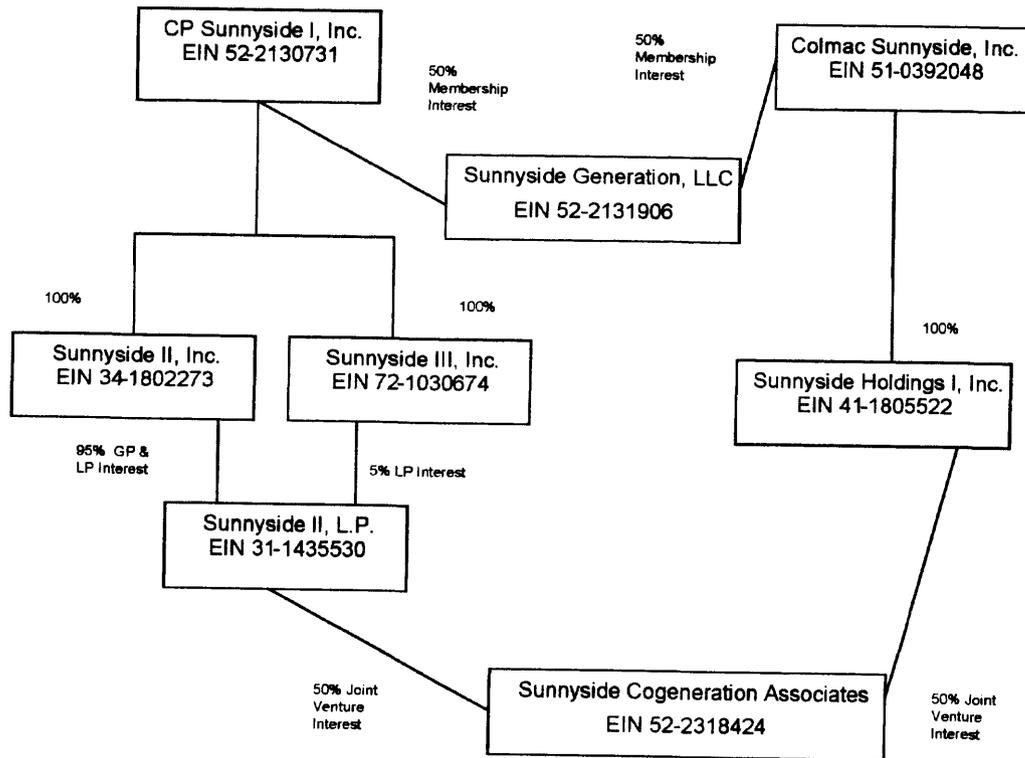
On January 13, 2004, the Office of Surface Mining found that the Star Point material being burned in the waste coal fired small power production facility operated by Sunnyside Cogeneration Associates was not subject to reclamation fees. A copy of the January 13, 2004, letter is included in Exhibit 112.230a.

112.300-330. Information Regarding "Owners" and "Controllers".

The Applicant, SCA, is a Utah joint venture. SCA holds the contracts, property, and permits for the project in its name. Because the joint venture is essentially a partnership between Sunnyside Holdings I, Inc. and Sunnyside II, L.P., SCA has no corporate information of its own. Therefore, the information required under regulation 112.300- 330 is provided for the joint venture partners, Sunnyside Holdings I, Inc. and Sunnyside II, L.P., and their parent or controlling corporations.

The information relevant to Sunnyside II, L.P. traces to the parentage of CP Sunnyside I, Inc, and the information relevant to Sunnyside Holdings I, Inc. traces to the parentage of Colmac Sunnyside, Inc., as follows:

Sunnyside Organization Chart



CP Sunnyside I, Inc:

Directors: John T. Long
Steven B. Gross

<u>Officers:</u>	John T. Long	Senior Vice President CGG President CPG
	Stephen B. Gross	Vice President
	Robert V. Escalante	Vice President
	Steven L. Miller	Secretary
	Daniel L. Haught	Treasurer

The address for the officers and directors is 111 Market Place, Suite 200, Baltimore, Maryland 21202. All Directors and Officers were elected in 2003.

CP Sunnyside Inc. is the Managing Member of Sunnyside Generation, LLC.

Sunnyside II, Inc. & Sunnyside III, Inc.:

<u>Directors:</u>	John T. Long Stephen B. Gross	
<u>Officers:</u>	John T. Long	Senior Vice President CGG President CPG
	Stephen B. Gross	Vice President
	Robert V. Escalante	Vice President
	Steven L. Miller	Secretary
	Daniel L. Haught	Treasurer

The address for the officers and directors is 111 Market Place, Suite 200, Baltimore, Maryland 21202. All Directors and Officers were elected in 2003.

Colmac Sunnyside, Inc.:

<u>Directors:</u>	Willis S. McLeese Greg B. Lawyer Gilbert B. Warren	
<u>Officers:</u>	Willis S. McLeese	Chairman and CEO
	Greg B. Lawyer	President
	Robert S. McLeese	Secretary and CFO

Gilbert B. Warren

Assistant Secretary

The address for the officers and directors is 103 Springer Building, 3411 Silverside Road, Wilmington, DE 19810. The Directors' and Officers' start date was October 15, 1999.

Sunnyside Holdings I, Inc.

Directors:

Willis S. McLeese
Greg B. Lawyer

Officers:

Willis S. McLeese	Chairman and CEO
Greg B. Lawyer	President and COO
Robert S. McLeese	Secretary and CFO

The address for the officers and directors is 103 Springer Building, 3411 Silverside Road, Wilmington, DE 19810. The Directors' and Officers' start date was August 27, 1999.

112.340-420. Further Information Regarding Owners and Controllers.

Neither Sunnyside II, L.P., nor Sunnyside Holdings I, Inc., nor their owners or controllers, has owned or controlled a coal mining and reclamation operation in the United States within five years preceding the date of this application, except for the following, nor do they have any interest in any pending coal mine operation permit applications.

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

112.500. Surface and Mineral Property.

The applicant, Plateau Mining Corporation, and the United States Bureau of Land Management (BLM) own surface properties within the permit area. SCA has purchased the waste coal pile located within the permit area pursuant to the Bill of Sale dated January 31, 2002 included in Exhibit 114.200a. The southern portion of the permit area, owned by the BLM, has been made available to SCA as detailed in the Assignment and Assumption of Federal Right-of-Way included in Exhibit

*Sunnyside Cogeneration Associates
Star Point Waste Fuel
Permit # C/007/042*

*1/11/2007
Page 100-6*

114.100a. Plateau Mining Corporation owns the surface property where SCA's substitute topsoil pile is stored. There are no purchasers of record under a real estate contract for the property to be mined.

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

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

112.600. Contiguous Property.

The name and address of each owner of record of all property (surface and subsurface) contiguous to any part of the proposed permit area:

Plateau Mining Corporation 9100 E. Mineral Circle Englewood, CO 80112	United States Government Bureau of Land Management Price, UT 84501	Carbon County 120 East Main Street Price, Utah 84501
-----------------------------------------------------------------------------	-----------------------------------------------------------------------------	------------------------------------------------------------

112.700. MSHA Numbers.

The name of the mining operations for which this application is submitted is:

STAR POINT WASTE FUEL
Mine I.D. Number 42-02334

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

112.800. Applicants Interest in Contiguous Lands.

Exhibit 111.100a, shows ownership interests in lands contiguous to the permit area. The applicant has no leasehold interest, options, or pending bids on any of these lands. The existing permit application is not limited to any future by-pass acquisitions, lease modifications, or areas designated in expressions of interest, or areas under investigation that are contiguous to the present permit application boundaries.

112.900. Applicable Information Resubmittal.

SCA, upon application approval, will submit any applicable, updated or corrected information previously submitted under R645-301-112.100 through R645-301-112.800.

113. VIOLATION INFORMATION.

113.100-250. Suspensions and Revocations.

Neither the Applicant, nor any of its subsidiaries, affiliates, or persons controlled by or under common control with the Applicant 1) has had a federal or state mining permit suspended or revoked in the last five years, or 2) has forfeited a mining bond or similar security deposited in lieu of bond.

113.300-350 Violations and Unabated Cessation Orders

Sunnyside Cogeneration Associates received one notice of violation from the Utah Division of Oil, Gas and Mining (DOG M) within the three year period prior to the application for Permit Renewal. Information regarding these violations is described below:

There have not been any unabated cessation orders or unabated air and water quality violation notices received by any coal mining and reclamation operation owned or controlled by either the Applicant or by any person who owns or controls the Applicant.

Star Point Waste Fuel – C/007/042, NOV# N04-49-3-1, Requirements of the violation have been satisfied.

114. RIGHT-OF-ENTRY INFORMATION.

114.100. Description of Legal Documents.

Documents included as Exhibits 114.100a and 114.100b support SCA's right of entry and operation in the permit area. That right is not the subject of pending litigation. These documents include:

- Special Warranty Deed from Plateau Mining Corporation ("Plateau") to SCA executed 1/30/2002
- Assignment and Assumption of Federal Right-of-Way from Plateau to SCA assigning the BLM Right-of-Way No. UTU-47965 executed 1/30/2002
- Right-of-Way from Plateau to SCA regarding access from County Road 290 to the Wattis Branch railroad grade executed 1/30/2002
- Right-of-Way from Utah Railway Company to Plateau regarding the Wattis Branch railroad grade executed 1/31/2002

- Assignment and Assumption of Private Right-of-Way from Plateau to SCA assigning the Utah Railway Right-of-Way to SCA executed 1/29/2002
- Memorandum of Surface Use Agreement regarding the "Reclamation Stockpile"
- Quitclaim Deed to Carbon County land associated with power substation.

114.200-230. Private Mineral Estate.

Applicant was conveyed the waste coal pile sitting on the surface property pursuant to the Bill of Sale for such pile purchased January 31, 2002. A copy of the Bill of Sale is included as Exhibit 114.200a.

114.300. Adjudication of Property Rights Disputes.

It is not construed that the Division has the authority to adjudicate property rights disputes.

115. STATUS OF UNSUITABILITY CLAIMS.

115.100. Unsuitable Areas.

The SCA - Star Point Permit Area is not within an area designated unsuitable for coal mining and reclamation operations or is within an area under study for designation in an administrative proceeding under R645-103-300, R645-103-400, or 30 CFR Part 769.

115.200. Exemptions.

This section is not applicable because Applicant does not claim the exemption described in R645-103-333.

115.300. Public Roads.

The only public road within 100 feet of the permit is County Road 290 that passes adjacent to the refuse pile site on the North side heading in a east-west direction as shown on Map 521.100a and 521.100b. It will remain in place after post mining reclamation to provide access to land above the mine area, as required by the post mining land use plan.

In compliance with R645-103-230 through R645-103-238, Carbon County has authorized public access to Country Road 290. Also, an opportunity for public hearing was provided with respect to the mining with 100 feet of the road. A meeting, which was scheduled on April 28, 1992 at the Days Inn in Price, Utah wherein protests could be heard, related to the proximity of the mine to County Road 290. The notice was published in the Sun Advocate on April 14, 1992 where after the meeting was cancelled due to lack of interest. A copy of the published "public

notice" is included in Exhibit 115.300a and a letter from Carbon County explaining public access is included in Exhibit 115.300b.

116. PERMIT TERM.

116.100. Start and Termination Dates.

Surface mining operations will commence immediately upon permit approval and are anticipated to extend 20-30 years. Detailed operations plans are included in Section 520 of this permit. Site reclamation will begin at the end of the mining period and the initial earthwork and seeding are scheduled to be completed with one year. Detailed reclamation plans are included in Section 540 of this permit.

116.200-220. Term in Excess of Five Years.

The permit application is for a term of 5 years.

117. INSURANCE.

117.100. Liability Insurance.

A copy of the certificate of liability insurance is attached as Exhibit 117.100a.

117.200. Proof of Publication.

A newspaper advertisement, Exhibit 117.200a, has been published in the "Sun Advocate" for four (4) weeks following the determination of completeness. Proof of publication of the newspaper advertisements is given in Exhibit 117.200b.

117.300. Shared Facilities.

Surface mined materials will be transported to and processed in areas identified and permitted by SCA under the following permit:

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

Plateau Mining Corporation has previously reclaimed 3.6 acres under the following permit which lie within this permit boundary and will be monitored in accordance with their approved permit.

Plateau Mining Corporation
Star Point Mines
Permit # C/007/006

118. APPLICATION FEE.

The required filing fee of \$5.00 is submitted with this Permit Application.

123. VERIFICATION.

The required verification statement is included as Exhibit 123.000a.

130. REPORTING OF TECHNICAL DATA.

PSOMAS, in the preparation of this permit document, has compiled and relied on data and maps from previous permit applications and previously approved permits for the Plateau Mining Corporation (PMC) mining activities permitted by Permit ACT/007/006 for the Star Point Mines issued by the Utah Division of Oil, Gas, and Mining on January 27, 1982, renewed on August 7, 1987, January 28, 1992 and September 27, 1996 with subsequent approved revisions.

All technical data in this application have been analyzed under the requirements of the Rules. Many of the technical analyses have been done in accordance with the guidelines issued by the State of Utah. SCA personnel and their representatives have met with the Division to discuss pertinent aspects of mining and reclamation plans.

Information regarding preparers of supporting studies can be found in the representative chapter of the Permit document.

The preparers of supporting studies include:

Section 200 –

Report of Soils for Phased Expansion of the Existing Coal Processing Waste Pile – Endangered Plant Studies, Inc., Orem Utah

Prime Farmland, NRCS

Section 300 –

Aquatic Resources of Plateau Mine Permit Area – Kaiser Engineers, Inc., Oakland, California

Section 400 –

Historical and Cultural Resources – Archeological-Environmental Research Corporation, Salt Lake City, Utah

Section 500 –

Star Point Mine's Refuse Pile Evaluation Operation and Monitoring Plan – Vaughn Hansen Associates, Salt Lake City Utah

Coal Refuse Pile Study – Chen and Associates Inc., Salt Lake City, Utah

Cyprus Plateau Mining Company Response to DOGM Midterm Review –
Hansen, Allen & Luce, Inc., Midvale, Utah

Section 600 –

Reserve Assessment of Star Point Coal Refuse Site – Miltech Energy
Services, Inc., Ligorier, PA

Evaluation of Toxic and Acid Forming Properties – Kent A. Crofts, Yampa,
Colorado

Section 700 –

Stability Analysis of Sedimentation Pond No. 9 Banks – Chen and
Associates Inc., Salt Lake City, Utah

140. MAPS AND PLANS.

Maps submitted herewith are presented in a consolidated format, to the extent possible, and include the types of information that are set forth on U.S. Geological Survey of the 1:24,000 scale series. The maps of adjacent areas will clearly show the lands and waters within those areas and are at the scale determined by DOGM. The maps and cross-sections associated with this Permit are listed in the General Table of Contents.

150. COMPLETENESS.

This Permit Application contains the information required by R645-301; R645-302 is not applicable.

**Exhibit 112.230a, Abandoned Mine Reclamation Fees -
Correspondence**



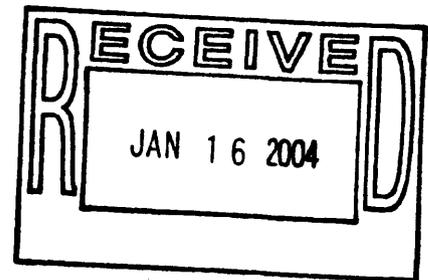
United States Department of the Interior

OFFICE OF SURFACE MINING

Reclamation and Enforcement
Division of Compliance Management

2677 Regency Road
Lexington, Kentucky 40503
January 13, 2004

Mr. Brian W. Burnett
CALLISTER NEBEKER & MCCULLOCH
Attorneys at Law
Gateway Tower East Suite 900
10 East South Temple
Salt Lake City, Utah 84133



Re: Request for No Value/Fee Determination
Sunnyside Cogeneration Associates
Starpoint Mine Coal Refuse Pile
Permit No. C/007/042
Carbon County, Utah

Dear Mr. Burnett:

This is in response to the correspondence and other data you submitted regarding the applicability of reclamation fees to the coal waste material generated from the Starpoint Mine Coal Refuse Pile to be burned in the waste-coal fired small power production facility operated by Sunnyside Cogeneration Associates (SCA).

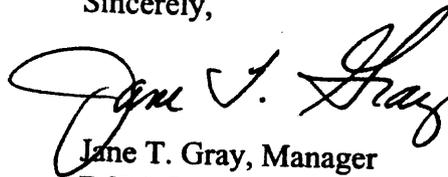
According to the information you have provided, it is our understanding that:

1. the material was or is the by-product of the coal preparation process, and has been found by the Federal Energy Regulatory Commission (FERC) to have little or not commercial value;
2. FERC has certified the SCA operation as a waste burning facility and that certification remains valid;
3. the material is not processed to remove the residual coal from the aggregate material; and
4. the material from the Starpoint Mine Coal Refuse Pile, which will be burned in the SCA facility, has no market value.

Based on this, and related information, we find that the waste material in question will not be subject to reclamation fees. We must emphasize, however, that this information is subject to review by our staff, and that you must notify us immediately if any of the conditions you cited or representations you made should change. In addition, this finding does not release or in any way circumscribe SCA's or related parties' responsibilities under Title V of the Surface Mining Control and Reclamation Act, and as specified in the permit issued by the Utah Division of Oil, Gas and Mining.

Because the Starpoint Mine Coal Refuse Pile is permitted, it will still be necessary to report the tonnage used from the pile on the Coal Reclamation Fee Report (Form OSM-1) that is mailed to operators each calendar quarter. Simply insert the words "no value" on the "Calculated fee" line on the OSM-1. Should you have any questions on these matters, please contact Joyce Atchley (865-777-0660) of our staff.

Sincerely,

A handwritten signature in cursive script that reads "Jane T. Gray". The signature is written in black ink and is positioned above the printed name and title.

Jane T. Gray, Manager
DCM, Region II