2006 Annual Report

Sunnyside Cogeneration Associates
Star Point Waste Fuel
C/007/042

SUNNYSIDE COGENERATION ASSOCIATES
STAR POINT WASTE FUEL
C/007/042
2006 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
2006 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. Michael J. Blakey 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 2006 calendar year and outlines SCA's operations at the Star Point Waste Fuel Mine.

II. IDENTIFICATION OF OTHER PERMITS

MSHA ID Numbers: Star Point Refuse Pile Mine ID No. 42-02334

MSHA granted approval for final abandonment of the Coarse Refuse Pile on January 28, 2004. As such, SCA's Star Point Waste Fuel Mine has no MSHA qualifying facilities or structures. The mine ID number remains active.

Storm Water Permit Number: UTR000604 Approved effective August 29, 2002
Renewed effective Jan 1, 2007
Expires December 31, 2011

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 renewal has been included for reference in Appendix B of this report.

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. During the 2nd Quarter 2006 there was a culvert between the refuse pile and pond 005 which washed out and contributed a significant amount of sediment into the pond. The culvert was repaired, pond cleaned and the area restored.

No discharges occurred from any of the UPDES discharge points during the 2006.

No construction of the proposed Disposal Area occurred in 2006.

Excavation of Refuse from the Refuse Pile occurred in general conformance with the operational criteria and performance standards established in the permit. In 2006, the operator excavated coal material by removing refuse directly from the top of the main refuse pile.

IV. REPORTING OF OTHER TECHNICAL DATA

1. Climatological Data

Not required in the approved permit.

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. No additional periodic raptor studies are required by 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

During 2006, SCA excavated a total of 225,096 tons of coal materials at the Star Point facility. This material was all transported to SCA's Sunnyside facilities.

b. Proposed Disposal Area

No non-coal waste, spoils or coal mine waste materials were disposed of on site during 2006.

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 a photographic 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 during the past year, have been identified on the map. A recent photograph of the active mining area has been added to the map to show current conditions.

Mining activity proposed for the next five years is projected to occur in conformance with the mining plan shown on the PE Certified drawings approved in the Mining and Reclamation Permit.

APPENDIX A
CERTIFIED REPORTS

APPENDIX A
CERTIFIED REPORTS

FIRST QUARTER INSPECTION

IMPOUNDMENTS, REFUSE PILE AND DISPOSAL AREA

Sunnyside Cogeneration Associates

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

April 17, 2006

Pam Grubaugh-Littig
Utah Division of Oil, Gas & Mining
1594 W. North Temple, Suite 1210
P. O. Box 145801
Salt Lake City, Utah 84114-5801

RE: First Quarter 2006 Inspection Report
Star Point Refuse Pile C/007/042

Dear Pam:

Please find enclosed a copy of the First Quarter 2006 Inspection Report for the Star Point refuse pile, impoundments, and excess spoil area. The inspection was performed by a qualified SCA employee and certified by a professional engineer from Twin Peaks Engineering.

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

Enclosure

c.c. Robert Escalante
Rusty Netz
Plant File

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Sediment Pond 005	
Permit Number	C/007/042	**Report Date** 4/14/06	
Mine Name	STAR POINT WASTE FUEL		
Company Name	SUNNYSIDE COGENERATION ASSOCIATES		
Impoundment Identification	**Impoundment Name**	Sediment Pond 005	
	Impoundment Number	005	
	UPDES Permit Number	UTG040025	
	MSHA ID Number	N/A	

IMPOUNDMENT INSPECTION

Inspection Date	March 9, 2006
Inspected By	Rusty Netz
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	First Quarter Inspection 2006

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

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT	Sediment Pond 005	

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.

Pond had some water

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 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: Rusty Nety **Date:** 4/14/06

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

Certification Statement:

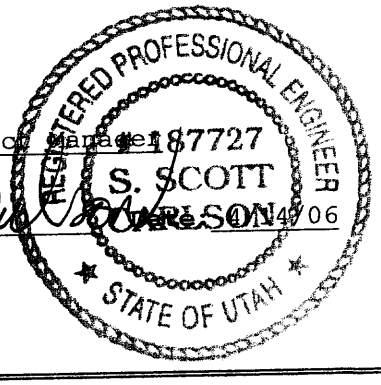
I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained 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: 4/14/06

P.E. Number & State: 187727 UT



Sediment Pond 005 March 9, 2006

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Sediment Pond 006	
Permit Number	C/007/042	**Report Date** 4/14/06	
Mine Name	STAR POINT WASTE FUEL		
Company Name	SUNNYSIDE COGENERATION ASSOCIATES		
Impoundment Identification	**Impoundment Name**	Sediment Pond 006	
	Impoundment Number	006	
	UPDES Permit Number	UTG040025	
	MSHA ID Number	N/A	

IMPOUNDMENT INSPECTION

Inspection Date	March 9, 2006
Inspected By	Rusty Netz
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	First Quarter Inspection 2006

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 = 2.6 acre-feet

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 +/-

3. Principle and emergency spillway elevations.

Spillway Elevation = 7147.2
Dewatering Orifice = 7140.7

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT	Sediment Pond 006	

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.

Pond had a some water

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: Rusty Nety **Date:** 4/14/06

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

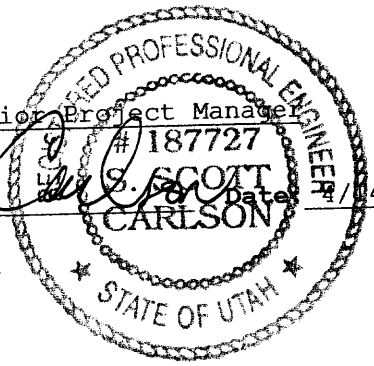
Certification Statement:

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 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 for **Date:** 4/04/06

P.E. Number & State: 187727 - UT



IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Sediment Pond 009	
Permit Number	C/007/042	**Report Date** 4/14/06	
Mine Name	STAR POINT WASTE FUEL		
Company Name	SUNNYSIDE COGENERATION ASSOCIATES		
Impoundment Identification	**Impoundment Name**	Sediment Pond 009	
	Impoundment Number	009	
	UPDES Permit Number	UTG040025	
	MSHA ID Number	N/A	

IMPOUNDMENT INSPECTION

Inspection Date	March 9, 2006
Inspected By	Rusty Netz
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	First Quarter Inspection 2006

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 = 7.4 acre-feet

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 +/-

3. Principle and emergency spillway elevations.

Emergency Spillway Elevation = 7446.5
Primary Drain Elevation = 7445.5

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT	Sediment Pond 009	

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.
Pond had some water

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: Rusty Nety **Date:** 4/14/06

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT	Sediment Pond 009	

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:

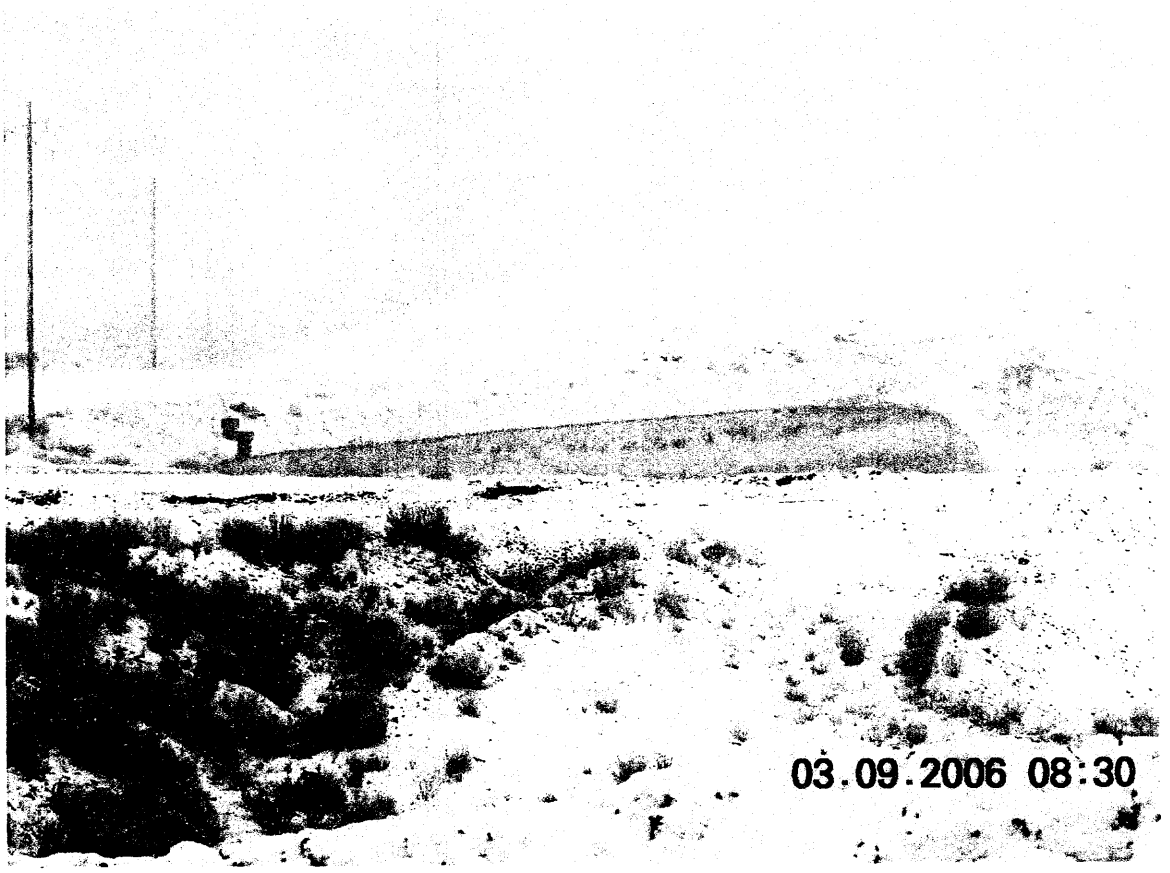
I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained 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 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:** 4/14/06

P.E. Number & State: 187727 - UT

REGISTERED PROFESSIONAL ENGINEER
S. SCOTT CARLSON
STATE OF UTAH



Sediment Pond 009

March 9, 2006

INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE		Coarse Refuse Pile
Permit Number	C/007/042	**Report Date 4/14/06**
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 9, 2006	
Inspected By	Rusty Netz	
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)		First Quarter Inspection 2006
		Attachments to Report? ☐ No **X** 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

INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE	Coarse Refuse Pile

5. Final grading and revegetation of fill.

N/A

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

No smokers visible

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
Excavation and hauling operations are occurring from the top of the pile

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:** 4/14/06

P.E. Number & State: 187727 - UT

REGISTERED PROFESSIONAL ENGINEER # 187727 S. SCOTT CARLSON STATE OF UTAH

Coarse Refuse Pile – looking easterly March 9, 2006

INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE		Disposal Area	
Permit Number	C/007/042	**Report Date 4/14/06**	
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 9, 2006		
Inspected By	Rusty Netz		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)		First Quarter Inspection 2006	
		Attachments to Report? X **No** ☐ **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.

INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE	Disposal Area	

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:** 4/14/06

P.E. Number & State: 187727 - UT

REGISTERED PROFESSIONAL ENGINEER
187727
S. SCOTT CARLSON
STATE OF UTAH

APPENDIX A
CERTIFIED REPORTS

SECOND QUARTER INSPECTION

IMPOUNDMENTS, REFUSE PILE AND DISPOSAL AREA

Sunnyside Cogeneration Associates

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

July 28, 2006

Pam Grubaugh-Littig
Utah Division of Oil, Gas & Mining
1594 W. North Temple, Suite 1210
Salt Lake City, Utah 84114

RE: Second Quarter 2006 Inspection Report
Star Point Refuse Pile C/007/042

Dear Pam:

Please find enclosed a copy of the Second Quarter 2006 Inspection Report for the Star Point refuse pile, impoundments, and excess spoil area. The inspection was performed by a qualified SCA employee and certified by a professional engineer from Twin Peaks Engineering.

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

Enclosure

c.c. Robert Escalante
Rusty Netz
Plant File

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Sediment Pond 005	
Permit Number	C/007/042	**Report Date** 7/25/06	
Mine Name	STAR POINT WASTE FUEL		
Company Name	SUNNYSIDE COGENERATION ASSOCIATES		
Impoundment Identification	**Impoundment Name**	Sediment Pond 005	
	Impoundment Number	005	
	UPDES Permit Number	UTG040025	
	MSHA ID Number	N/A	

IMPOUNDMENT INSPECTION

Inspection Date	June 15, 2006
Inspected By	Rusty Netz
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Second Quarter Inspection 2006

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 = 7394 +/-

3. Principle and emergency spillway elevations.

Spillway Elevation = 7401.3
Dewatering Orifice = 7394.9

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT	Sediment Pond 005	

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.

Pond had some water

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 structure or stability problems observed with the pond. There was a culvert above the pond which washed out and contributed a significant amount of sediment into the pond. The culvert was repaired and the area restored. See pictures attached with the Coarse Refuse Pile inspection report.

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: Rusty Nady **Date:** 7/25/06

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

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: _____ **Date:** 7/25/06

P.E. Number & State: 187[illegible]

REGISTERED PROFESSIONAL ENGINEER
S. SCOTT CARLSON
STATE OF UTAH

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Sediment Pond 006	
Permit Number	C/007/042	**Report Date** 7/25/06	
Mine Name	STAR POINT WASTE FUEL		
Company Name	SUNNYSIDE COGENERATION ASSOCIATES		
Impoundment Identification	**Impoundment Name**	Sediment Pond 006	
	Impoundment Number	006	
	UPDES Permit Number	UTG040025	
	MSHA ID Number	N/A	

IMPOUNDMENT INSPECTION

Inspection Date	June 15, 2006
Inspected By	Rusty Netz
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Second Quarter Inspection 2006

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 = 2.6 acre-feet

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 +/-

3. **Principle and emergency spillway elevations.**

Spillway Elevation = 7147.2
Dewatering Orifice = 7140.7

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT	Sediment Pond 006	

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.

Pond had a some water

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: Rusty Nelson **Date:** 7/25/06

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

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:** 12/26/06

P.E. Number & State: 187727 - UT

REGISTERED PROFESSIONAL ENGINEER # 187727 SCOTT CARLSON STATE OF UTAH

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Sediment Pond 009	
Permit Number	C/007/042	**Report Date** 7/25/06	
Mine Name	STAR POINT WASTE FUEL		
Company Name	SUNNYSIDE COGENERATION ASSOCIATES		
Impoundment Identification	**Impoundment Name**	Sediment Pond 009	
	Impoundment Number	009	
	UPDES Permit Number	UTG040025	
	MSHA ID Number	N/A	

IMPOUNDMENT INSPECTION

Inspection Date	June 15, 2006
Inspected By	Rusty Netz
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Second Quarter Inspection 2006

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 = 7.4 acre-feet

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 +/-

3. Principle and emergency spillway elevations.

Emergency Spillway Elevation = 7446.5
Primary Drain Elevation = 7445.5

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT	Sediment Pond 009	

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.
Pond had some water

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: Rusty Net **Date:** 7/25/06

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT	Sediment Pond 009	

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 12/5/06

P.E. Number & State: 187727 - UT

REGISTERED PROFESSIONAL ENGINEER 187727 S. SCOTT CARLSON STATE OF UTAH

INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE		Coarse Refuse Pile
Permit Number	C/007/042	**Report Date 7/25/06**
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 15, 2006	
Inspected By	Rusty Netz	
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)		Second Quarter Inspection 2006
		Attachments to Report? ☐ No **X** 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

INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE	Coarse Refuse Pile

5. **Final grading and revegetation of fill.**

N/A

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

No smokers visible

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
Excavation and hauling operations are occurring from the top of the pile

There was a culvert on the side of the pile that washed out and contributed a significant amount of sediment into the pond below. The culvert was repaired and the area restored. See attached pictures of the conditions before and during the repairs.

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: _____ **Date:** 12/22/06

P.E. Number & State: 187727 - UT

REGISTERED PROFESSIONAL ENGINEER 187727 S. SCOTT CARLSON STATE OF UTAH

INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE		Disposal Area	
Permit Number	C/007/042	**Report Date 7/25/06**	
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 15, 2006		
Inspected By	Rusty Netz		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)		Second Quarter Inspection 2006	
		Attachments to Report? X **No** ☐ **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.

INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE	Disposal Area	

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

REGISTERED PROFESSIONAL ENGINEER # 187727 S. SCOTT CARLSON STATE OF UTAH

P.E. Number & State: 187727 - UT

South Side of Coarse Refuse Pile (Pond 005 in foreground) June 15, 2006

From top of refuse pile looking down culvert alignment towards Pond 005 June 15, 2006

Looking at culvert and slope repairs in progress June 16, 2006

APPENDIX A
CERTIFIED REPORTS

THIRD QUARTER INSPECTION

IMPOUNDMENTS, REFUSE PILE AND DISPOSAL AREA

Sunnyside Cogeneration Associates

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

October 20, 2006

Pam Grubaugh-Littig
Utah Division of Oil, Gas & Mining
1594 W. North Temple, Suite 1210
Salt Lake City, Utah 84114

RE: Third Quarter 2006 Inspection Report
Star Point Refuse Pile C/007/042

Dear Pam:

Please find enclosed a copy of the Third Quarter 2006 Inspection Report for the Star Point refuse pile, impoundments, and excess spoil area. The inspection was performed by a qualified SCA employee and certified by a professional engineer from Twin Peaks Engineering.

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

Thank You,

Michael J. Blakey
Agent For
Sunnyside Cogeneration Associates

c.c. Robert Escalante
Rusty Netz
Plant File

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Sediment Pond 005	
Permit Number	C/007/042	**Report Date** 10/11/06	
Mine Name	STAR POINT WASTE FUEL		
Company Name	SUNNYSIDE COGENERATION ASSOCIATES		
Impoundment Identification	**Impoundment Name**	Sediment Pond 005	
	Impoundment Number	005	
	UPDES Permit Number	UTG040025	
	MSHA ID Number	N/A	

IMPOUNDMENT INSPECTION

Inspection Date	September 19, 2006
Inspected By	Rusty Netz
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Third Quarter Inspection 2006

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 = 7394 +/-

3. **Principle and emergency spillway elevations.**

Spillway Elevation = 7401.3
Dewatering Orifice = 7394.9

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT	Sediment Pond 005	

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.

Pond had some water

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 structure or stability problems observed with the pond.

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: Rusty Net **Date:** 10/11/06

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

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

(Full Name and Title)

Signature: S. Scott Carlson **Date:** 10/11/06

P.E. Number & State: 187727 UT

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Sediment Pond 006	
Permit Number	C/007/042	**Report Date** 10/11/06	
Mine Name	STAR POINT WASTE FUEL		
Company Name	SUNNYSIDE COGENERATION ASSOCIATES		
Impoundment Identification	**Impoundment Name**	Sediment Pond 006	
	Impoundment Number	006	
	UPDES Permit Number	UTG040025	
	MSHA ID Number	N/A	

IMPOUNDMENT INSPECTION

Inspection Date	September 19, 2006
Inspected By	Rusty Netz
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	*Third Quarter Inspection 2006*

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 = 2.6 acre-feet

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 +/-

3. **Principle and emergency spillway elevations.**

Spillway Elevation = 7147.2
Dewatering Orifice = 7140.7

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT	Sediment Pond 006	

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.

Pond had a some water

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: Rusty Doty **Date:** 10/11/06

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

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.

Signature: S. Scott Carlson

REGISTERED PROFESSIONAL ENGINEER # 187727 S. SCOTT CARLSON STATE OF UTAH

Date: 10/11/06

P.E. Number & State: 187727 - UT

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Sediment Pond 009	
Permit Number	C/007/042	**Report Date** 10/11/06	
Mine Name	STAR POINT WASTE FUEL		
Company Name	SUNNYSIDE COGENERATION ASSOCIATES		
Impoundment Identification	**Impoundment Name**	Sediment Pond 009	
	Impoundment Number	009	
	UPDES Permit Number	UTG040025	
	MSHA ID Number	N/A	

IMPOUNDMENT INSPECTION

Inspection Date	September 19, 2006
Inspected By	Rusty Netz
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Third Quarter Inspection 2006

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 = 7.4 acre-feet

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 +/-

3. **Principle and emergency spillway elevations.**

Emergency Spillway Elevation = 7446.5
Primary Drain Elevation = 7445.5

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT	Sediment Pond 009	

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.
Pond had some water

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: Rusty Nety **Date:** 10/11/06

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT	Sediment Pond 009	

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 Carleon, P.E.

Signature: S Scott Carlson

Date: 10/11/06

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 10/11/06**
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	September 19, 2006	
Inspected By	Rusty Netz	
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)		Third Quarter Inspection 2006
		Attachments to Report? ☒ No ☐ 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

INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE	Coarse Refuse Pile

5. **Final grading and revegetation of fill.**

N/A

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

No smokers visible

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
Excavation and hauling operations are occurring from the top of the pile

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, PE

Signature: S Scott Carl

Date: 8/10/2017

P.E. Number & State: 187727 - UT

REGISTERED PROFESSIONAL ENGINEER
S. SCOTT CARLSON
STATE OF UTAH

INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE		Disposal Area	
Permit Number	C/007/042	**Report Date 10/11/06**	
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	September 19, 2006		
Inspected By	Rusty Netz		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)		Third Quarter Inspection 2006	
		Attachments to Report? X **No** ☐ **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.

INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE	Disposal Area	

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, PE

Signature: S. Scott Carlson **Date:** 10/11/06

REGISTERED PROFESSIONAL ENGINEER # 187727 S. SCOTT CARLSON STATE OF UTAH

P.E. Number & State: 187727 - UT

APPENDIX A
CERTIFIED REPORTS

FOURTH QUARTER INSPECTION

IMPOUNDMENTS, REFUSE PILE AND DISPOSAL AREA

Sunnyside Cogeneration Associates

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

January 23, 2007

Pam Grubaugh-Littig
Utah Division of Oil, Gas & Mining
1594 W. North Temple, Suite 1210
Salt Lake City, Utah 84114

RE: Fourth Quarter 2006 Inspection Report
Star Point Refuse Pile C/007/042

Dear Pam:

Please find enclosed a copy of the Fourth Quarter 2006 Inspection Report for the Star Point refuse pile, impoundments, and excess spoil area. The inspection was performed by a qualified SCA employee and certified by a professional engineer from Twin Peaks Engineering.

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

Thank You,

Michael J. Blakey
Agent For
Sunnyside Cogeneration Associates

c.c. Robert Escalante
Ramiro Garcia
Rusty Netz
Plant File

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Sediment Pond 005	
Permit Number	C/007/042	**Report Date** 1/18/07	
Mine Name	STAR POINT WASTE FUEL		
Company Name	SUNNYSIDE COGENERATION ASSOCIATES		
Impoundment Identification	**Impoundment Name**	Sediment Pond 005	
	Impoundment Number	005	
	UPDES Permit Number	UTG040025	
	MSHA ID Number	N/A	

IMPOUNDMENT INSPECTION

Inspection Date	December 19, 2006
Inspected By	Rusty Netz
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Fourth Quarter Inspection 2006

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 = 7394 +/-

3. **Principle and emergency spillway elevations.**

Spillway Elevation = 7401.3
Dewatering Orifice = 7394.9

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT	Sediment Pond 005	

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.

Pond had some water

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 structure or stability problems observed with the pond.

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: Rusty Net **Date:** 1/18/07

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

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

(Full Name and Title)

Signature: _____ **Date:** 1/18/07

P.E. Number & State: 187727 UT

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Sediment Pond 006	
Permit Number	C/007/042	**Report Date** 1/18/07	
Mine Name	STAR POINT WASTE FUEL		
Company Name	SUNNYSIDE COGENERATION ASSOCIATES		
Impoundment Identification	**Impoundment Name**	Sediment Pond 006	
	Impoundment Number	006	
	UPDES Permit Number	UTG040025	
	MSHA ID Number	N/A	

IMPOUNDMENT INSPECTION

Inspection Date	December 19, 2006
Inspected By	Rusty Netz
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Fourth Quarter Inspection 2006

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 = 2.6 acre-feet

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 +/-

3. **Principle and emergency spillway elevations.**

Spillway Elevation = 7147.2
Dewatering Orifice = 7140.7

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT	Sediment Pond 006	

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.

Pond had a some water

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: Rusty Net **Date:** 1/18/07

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

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.

Signature: S Scott Carlson **Date:** 1/18/07

P.E. Number & State: 187727 - UT

REGISTERED PROFESSIONAL ENGINEER # 187727 S. SCOTT CARLSON STATE OF UTAH

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Sediment Pond 009	
Permit Number	C/007/042	**Report Date** 1/18/07	
Mine Name	STAR POINT WASTE FUEL		
Company Name	SUNNYSIDE COGENERATION ASSOCIATES		
Impoundment Identification	**Impoundment Name**	Sediment Pond 009	
	Impoundment Number	009	
	UPDES Permit Number	UTG040025	
	MSHA ID Number	N/A	

IMPOUNDMENT INSPECTION

Inspection Date	December 19, 2006
Inspected By	Rusty Netz
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Fourth Quarter Inspection 2006

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 = 7.4 acre-feet

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 +/-

3. **Principle and emergency spillway elevations.**

Emergency Spillway Elevation = 7446.5
Primary Drain Elevation = 7445.5

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT	Sediment Pond 009	

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.
Pond had some water

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: Rusty Nutt **Date:** 1/18/07

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT	Sediment Pond 009	

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.

Signature: [signature] **Date:** 1/15/07

P.E. Number & State: 187727 - UT

REGISTERED PROFESSIONAL ENGINEER # 187727 S. SCOTT CARLSON STATE OF UTAH

INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE		Coarse Refuse Pile
Permit Number	C/007/042	**Report Date 1/18/07**
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	December 19, 2006	
Inspected By	Rusty Netz	
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)		Fourth Quarter Inspection 2006
		Attachments to Report? ☒ No ☐ 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

INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE	Coarse Refuse Pile

5. **Final grading and revegetation of fill.**

N/A

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

No smokers visible

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
Excavation and hauling operations are occurring from the top of the pile

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, PE

Signature: _____ **Date:** 7/18/07

P.E. Number & State: 187727 - UT

REGISTERED PROFESSIONAL ENGINEER
187727
S. SCOTT CARLSON
STATE OF UTAH

INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE		Disposal Area	
Permit Number	C/007/042	**Report Date 1/18/07**	
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	December 19, 2006		
Inspected By	Rusty Netz		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)		Fourth Quarter Inspection 2006	
		Attachments to Report? X **No** ☐ **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.

INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE	Disposal Area	

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, PE

Signature: [signature] **Date:** 11/18/17

P.E. Number & State: 187727 - UT

REGISTERED PROFESSIONAL ENGINEER
187727
S. SCOTT CARLSON
STATE OF UTAH

APPENDIX A
CERTIFIED REPORTS

ANNUAL INSPECTION

IMPOUNDMENTS, REFUSE PILE AND DISPOSAL AREA

Sunnyside Cogeneration Associates

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

January 23, 2007

Pam Grubaugh-Littig
Division of Oil, Gas & Mining
1594 W. North Temple, Suite 1210
Salt Lake City, Utah 84114

RE: Annual 2006 Inspection Report
Star Point Refuse Pile C/007/042

Dear Pam:

Please find enclosed a copy of the Annual 2006 Inspection Report for the Star Point refuse pile, impoundments, and excess spoil area. The inspection was performed by a professional engineer from Twin Peaks Engineering.

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

Thank You,

Michael J. Blakey
Agent For
Sunnyside Cogeneration Associates

c.c. Robert Escalante
Ramiro Garcia
Rusty Netz
Plant File

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Sediment Pond 005	
Permit Number	C/007/042	**Report Date** 1/18/07	
Mine Name	STAR POINT WASTE FUEL		
Company Name	SUNNYSIDE COGENERATION ASSOCIATES		
Impoundment Identification	**Impoundment Name**	Sediment Pond 005	
	Impoundment Number	005	
	UPDES Permit Number	UTG040025	
	MSHA ID Number	N/A	

IMPOUNDMENT INSPECTION

Inspection Date	December 19, 2006
Inspected By	Rusty Netz
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Annual Inspection 2006

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 = 7394 +/-

3. **Principle and emergency spillway elevations.**

Spillway Elevation = 7401.3
Dewatering Orifice = 7394.9

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT	Sediment Pond 005	

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.

Pond had some water

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 structure or stability problems observed with the pond. During the 2nd Quarter 2006 there was a culvert above the pond which washed out and contributed a significant amount of sediment into the pond. The culvert was repaired and the area restored. See pictures attached with the Coarse Refuse Pile inspection report.

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: Rusty Nay **Date:** 1/18/07

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

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

(Full Name and Title)

Signature: [signature] **Date:** 1/18/0[illegible]

P.E. Number & State: 187727 UT

REGISTERED PROFESSIONAL ENGINEER # 187727 S. SCOTT CARLSON STATE OF UTAH

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Sediment Pond 006	
Permit Number	C/007/042	**Report Date** 1/18/07	
Mine Name	STAR POINT WASTE FUEL		
Company Name	SUNNYSIDE COGENERATION ASSOCIATES		
Impoundment Identification	**Impoundment Name**	Sediment Pond 006	
	Impoundment Number	006	
	UPDES Permit Number	UTG040025	
	MSHA ID Number	N/A	

IMPOUNDMENT INSPECTION

Inspection Date	December 19, 2006
Inspected By	Rusty Netz
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Annual Inspection 2006

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 = 2.6 acre-feet

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 +/-

3. Principle and emergency spillway elevations.

Spillway Elevation = 7147.2
Dewatering Orifice = 7140.7

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT	Sediment Pond 006	

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.

Pond had a some water

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: Rusty Net **Date:** 1/18/07

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

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.

Signature: _____ **Date:** 1/18/07

P.E. Number & State: 187727 - UT

REGISTERED PROFESSIONAL ENGINEER
187727
S. SCOTT
CARLSON
STATE OF UTAH

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Sediment Pond 009	
Permit Number	C/007/042	**Report Date** 1/18/07	
Mine Name	STAR POINT WASTE FUEL		
Company Name	SUNNYSIDE COGENERATION ASSOCIATES		
Impoundment Identification	**Impoundment Name**	Sediment Pond 009	
	Impoundment Number	009	
	UPDES Permit Number	UTG040025	
	MSHA ID Number	N/A	

IMPOUNDMENT INSPECTION

Inspection Date	December 19, 2006
Inspected By	Rusty Netz
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Annual Inspection 2006

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 = 7.4 acre-feet

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 +/-

3. **Principle and emergency spillway elevations.**

Emergency Spillway Elevation = 7446.5
Primary Drain Elevation = 7445.5

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT	Sediment Pond 009	

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.
Pond had some water

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: Rusty Nelly **Date:** 1/18/07

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT	Sediment Pond 009	

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.

Signature:

Date 8/18/0

P.E. Number & State: 187727 - UT

REGISTERED PROFESSIONAL ENGINEER
187727
S. SCOTT CARLSON
STATE OF UTAH

INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE		Coarse Refuse Pile
Permit Number	C/007/042	**Report Date 1/18/07**
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	December 19, 2006	
Inspected By	Rusty Netz	
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)		Annual Inspection 2006
		Attachments to Report? ☐ No ☒ 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

INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE	Coarse Refuse Pile

5. **Final grading and revegetation of fill.**

N/A

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

No smokers visible

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
Excavation and hauling operations are occurring from the top of the pile

There was a culvert on the side of the pile that washed out and contributed a significant amount of sediment into the pond below. The culvert was repaired and the area restored. See attached pictures of the conditions before and during the repairs.

Certification Statement

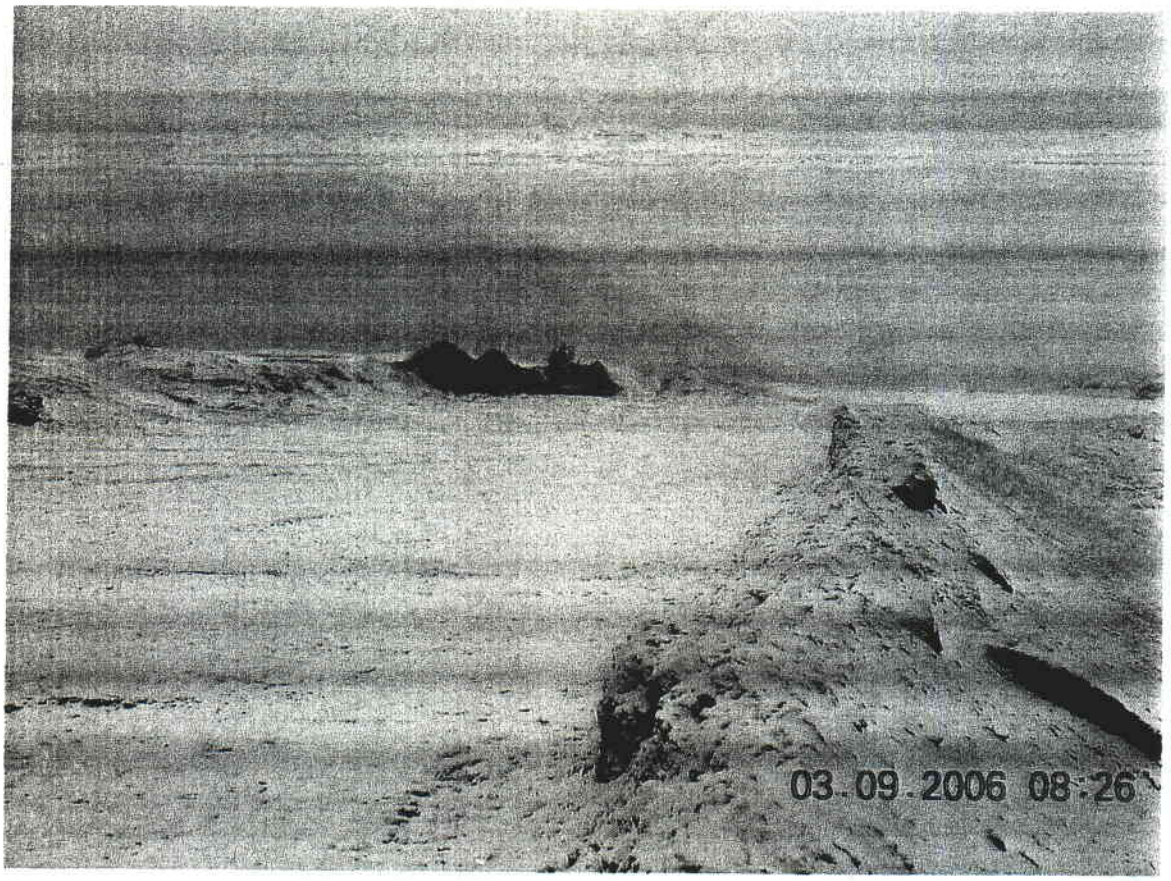
I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure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

Signature: _____ **Date:** 1/28/07

P.E. Number & State: 187727 - UT

REGISTERED PROFESSIONAL ENGINEER
187727
S. SCOTT
CARLSON
STATE OF UTAH



Coarse Refuse Pile – looking easterly

March 9, 2006

South Side of Coarse Refuse Pile (Pond 005 in foreground) June 15, 2006

From top of refuse pile looking down culvert alignment towards Pond 005 June 15, 2006

Looking at culvert and slope repairs in progress June 16, 2006

INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE		Disposal Area	
Permit Number	C/007/042	**Report Date 1/18/07**	
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	December 19, 2006		
Inspected By	Rusty Netz		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)		Annual Inspection 2006	
		Attachments to Report? X **No** ☐ **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 Year.

INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE	Disposal Area	

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~~ the year ~~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, PE

Signature: _____ **Date:** 11/18/07

P.E. Number & State: 187727 - UT

REGISTERED PROFESSIONAL ENGINEER
187727
S. SCOTT
CARLSON
STATE OF UTAH

APPENDIX B
STORM WATER PERMIT RENEWAL

State of Utah

Department of Environmental Quality

Dianne R. Nielson, Ph.D.
Executive Director

DIVISION OF WATER QUALITY
Walter L. Baker, P.E.
Director

Water Quality Board
Joe Piccolo, *Chair*
Paula Doughty, Vice-Chair
David F. Echols
Neil K. Kochenour
Darrell H. Mensel
LeLand J. Myers
Dianne R. Nielson
Jay Ivan Olsen
Gregory L. Rowley
Ronald C. Sims
Daniel C. Snarr
Walter L. Baker,
Executive Secretary

JON M. HUNTSMAN, JR.
Governor

GARY HERBERT
Lieutenant Governor

January 09, 2007

Mr. Michael J. Blakey
Plant Manager
Sunnyside Cogeneration Associates
One Power Plant Road
Sunnyside, UT 84539

Dear Mr. Blakey:

Subject: Utah Pollutant Discharge Elimination System (UPDES) Multi-Sector General Permit for Storm Water Discharges Associated with Industrial Activity, Coverage No. **UTR000604.**

Our office received your "notice of intent" (NOI) for **Sunnyside Cogeneration Associates** to obtain coverage under the *UPDES Multi-Sector General Permit for Storm Water Discharges Associated with Industrial Activity, General Permit No. UTR000000* on June 08, 2006. The received NOI is for the Star Point Refuse Pile facility located at, 23 Miles Southwest of Price, Utah, Price, Utah, Carbon County. This letter confirms your coverage under the general permit; the permit coverage number for the facility is **No. UTR000604**. Please use this number in any future correspondence associated with this project.

This coverage is effective **January 01, 2007** and expires at midnight, **December 31, 2011**.

The permit requires a Storm Water Pollution Prevention Plan (SWP3). Maintaining a current copy of the SWP3 at the site is a requirement of the permit. Monitoring is also required as outlined in appendix II requirements. Please review these requirements if you are not familiar with them. A copy of the general permit and appendix requirements can be found on our website at http://www.waterquality.utah.gov/updes/stormwater.htm.

Storm water discharge monitoring report (SWDMR) forms are enclosed for your convenience. These forms may be used to record visual and/or analytical monitoring results.

As the agency charged with the administration of issuing UPDES Permits, we are

continuously looking for ways to improve our quality of service to you. Please take a few moments to complete the enclosed questionnaire, and return it in the enclosed, self-addressed, postage paid, envelope. The results will be used to improve our quality and responsiveness and give us feed back on customer satisfaction.

If you have any questions concerning this letter or your permit coverage please do not hesitate to contact me by phone at (801) 538-9325 or by e-mail at mmgeorge@utah.gov. Thank you.

Sincerely,

Mike George, Environmental Scientist
Permits & Compliance Section

Enclosure

U:\WQ\PERMITS\Mgeorge\wp\storm water\group 4\sunnysidecogenstarpoit.doc

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

01/22/2007
1215877-014301222007-484391

CERTIFICATE OF EXISTENCE

Registration Number:	1215877-0143
Business Name:	SUNNYSIDE HOLDINGS I, INC.
Registered Date:	December 30, 1994
Entity Type:	Corporation - Foreign - Profit
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

Utah Department of Commerce Business Entity Search

Help

Name	Type	City	Status
SUNNYSIDE HOLDINGS I, INC.	Corporation	Wilmington	Active

Business Name: SUNNYSIDE HOLDINGS I, INC.
Entity Number: 1215877-0143
Registration Date: 12/30/1994
State of Origin: DE

Address

103 SPRINGER BUILDING, 3411 SILVERSIDE RD
Wilmington, DE 19810

Status

Status: Active
Status Description: Good Standing
This Status Date: 03/23/2006
Last Renewed: 12/06/2006
License Type: Corporation - Foreign - Profit
Delinquent Date: 12/30/2007

Registered Agent

Registered Agent: CT CORPORATION SYSTEM
[Search BES] [Search RPS]
Address Line 1: 136 East South Temple Ste 2100
Address Line 2:
City: Salt Lake City
State: UT
Zip: 84111

Additional Information

Additional Principals: yes
NAICS Code: 5617
NAICS Title: 5617-Services to Buildings and Dwellings
Stock Class 1 Amount: 0000000000
Stock Class 2 Amount: 0000000000
Stock Class 3 Amount: 0000000000
Stock Class 4 Amount: 0000000000

With this information, you can...

Purchase Certificate of Existence

If you would like to purchase a Certificate of Existence for this business entity, select the button to the left. You will be assessed a **$ 12.00 fee** for this service. You will need Adobe Reader to view this certificate. If you do not have Adobe Reader, click on the button below and download it.

Get Adobe Reader

Access Principal Information

If you would like to receive information on the principal individuals associated with this entity, click the button on the left. You will be assessed a **$ 1.00 fee** for this information.

Back to search results | Do Another Search

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

01/22/2007
2113550-018101222007-484387

CERTIFICATE OF EXISTENCE

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

Utah Department of Commerce Business Entity Search

Help

Name	Type	City	Status
SUNNYSIDE II, L.P.	Limited Partnership	Baltimore	Active

Business Name: SUNNYSIDE II, L.P.
Entity Number: 2113550-0181
Registration Date: 12/30/1994
State of Origin: DE

Address

750 E PRATT ST 5TH FLOOR
Baltimore, MD 21202

Status

Status: Active
Status Description: Good Standing
This Status Date: N/A
Last Renewed: 11/13/2006
License Type: Limited Partnership - Foreign
Delinquent Date: 12/30/2007

Registered Agent

Registered Agent: CT CORPORATION SYSTEM
[Search BES] [Search RPS]
Address Line 1: 136 East South Temple Ste 2100
Address Line 2:
City: Salt Lake City
State: UT
Zip: 84111

Additional Information

Additional Principals: N
Amendment Date: 1999-02-01
NAICS Code: 5239
NAICS Title: 5239-Other Financial Investment Activiti

With this information, you can...

Purchase Certificate of Existence

If you would like to purchase a Certificate of Existence for this business entity, select the button to the left. You will be assessed a **$ 12.00 fee** for this service. You will need Adobe Reader to view this certificate. If you do not have Adobe Reader, click on the button below and download it.

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Access Principal Information

If you would like to receive information on the principal individuals associated with this entity, click the button on the left. You will be assessed a **$ 1.00 fee** for this information.

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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

01/22/2007
4911242-015001222007-484383

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
Director
Division of Corporations and Commercial Code

Utah Department of Commerce Business Entity Search

?Help

Name	Type	City	Status
SUNNYSIDE COGENERATION ASSOCIATES	DBA	Sunnyside	Active

Business Name: SUNNYSIDE COGENERATION ASSOCIATES
Entity Number: 4911242-0150
Registration Date: 04/24/2001
State of Origin:

Address

ONE POWER PLANT RD PO BOX 159
Sunnyside, UT 84539

Status

Status: Active
Status Description: Good Standing
This Status Date: 04/24/2001
Last Renewed: 02/24/2004
License Type: DBA
Delinquent Date: 04/24/2007

Registered Agent

Registered Agent: BRIAN W BURNETT
[Search BES] [Search RPS]
Address Line 1: 10 E SOUTH TEMPLE ST
Address Line 2: STE 900
City: Salt Lake City
State: UT
Zip: 84133

Additional Information

NAICS Code: 3132
NAICS Title: 3132-Fabric Mills

With this information, you can...

Purchase Certificate of Existence

If you would like to purchase a Certificate of Existence for this business entity, select the button to the left. You will be assessed a **$ 12.00 fee** for this service. You will need Adobe Reader to view this certificate. If you do not have Adobe Reader, click on the button below and download it.

Get Adobe Reader

Access Principal Information

If you would like to receive information on the principal individuals associated with this entity, click the button on the left. You will be assessed a **$ 1.00 fee** for this information.

Back to search results | Do Another Search

APPENDIX D
MINE MAP

REFUSE PILE 3/2007

REFUSE PILE 3/2007

200 0 200 400
SCALE OF FEET

LEGEND

ACTIVE MINING AREA

SUBSOIL PILE

PROPOSED PRIMARY ROAD "A"

COUNTY ROAD 290

PROPOSED PRIMARY ROAD "B"

ANCILLARY ROAD "A"

ANCILLARY ROAD "B"

ANCILLARY ROAD "C"

ANCILLARY ROAD "D"

POND 9

POND 8

POND 5

REFUSE PILE A

REFUSE PILE B

REFUSE PILE C

PROPOSED DISPOSAL AREA

TEMPORARY PIPE ROAD

PERMIT BOUNDARY

9 10 11
16 15 14

10 11
15 14

REGISTERED PROFESSIONAL ENGINEER
STATE OF UTAH
ST. BENOIT
207

DATE: 03-03-04
PLOT DATE:
SCALE:
PROJECT NUMBER: 8SUN010600

SCA / STAR POINT WASTE FUEL
REFUSE PILE MINE MAP

TWIN PEAKS
Engineering & Land Surveying
1880 NORTH 800 EAST LEHI, UTAH 84043
(801) 450-3511, (801) 439-0700 FAX

DESIGNED AH
DRAWN AH
CHECKED SSC

MAP NUMBER
1

C:_Sunnyside-Starpoint\Star Point\Star-2005.dwg 3/27/2006 7:59:27 PM MST