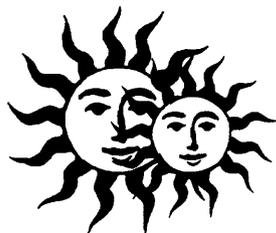


0012

C/007/042 Incoming

cc: Dave

2986



Sunnyside Cogeneration Associates

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

June 3, 2008

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

RE: DOGM Permit Renewal Application
Sunnyside Cogeneration Associates
Star Point Waste Fuel C/007/042

Dear Mr. Haddock:

Please find enclosed five copies of SCA's permit renewal application for the Star Point Waste Fuel property, Permit Number (C/007/042). The renewal application includes C1/ C2 forms, public notification, certificate of liability, proof of bonding and Chapter 1 updates.

If you have any questions or if further clarification is needed please contact Rusty Netz or myself at (435) 888-4476.

Thank You,

A handwritten signature in black ink, appearing to read "M. Blakey". The signature is fluid and cursive, with a large loop at the end.

Michael J. Blakey
Agent for
Sunnyside Cogeneration Associates

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

RECEIVED
JUN 06 2008
DIV. OF OIL, GAS & MINING

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change New Permit Renewal Exploration Bond Release Transfer

Permittee: Sunnyside Cogeneration Associates

Mine: Star Point Waste Fuel

Permit Number: C/007/042

Title: Permit Renewal

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

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

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

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

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

Michael Blakey
Print Name

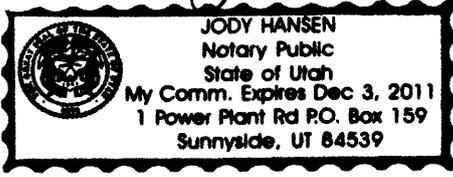
M. Blakey Plant Mgr 6/3/08
Sign Name, Position, Date

Subscribed and sworn to before me this 3rd day of June, 2008

Jody Hansen
Notary Public

My commission Expires: December 3, 2011

Attest: State of Utah) ss:
County of Carbon



<p>For Office Use Only:</p>	<p>Assigned Tracking Number:</p>	<p>Received by Oil, Gas & Mining</p> <p style="font-size: 2em; font-weight: bold; text-align: center;">RECEIVED</p> <p style="font-size: 1.5em; font-weight: bold; text-align: center;">JUN 06 2008</p> <p style="text-align: center;">DIV. OF OIL, GAS & MINING</p>
------------------------------------	----------------------------------	--

Public Notice

Notice is hereby given as required by the Utah Coal Mining Rules, R645-300-121 that Sunnyside Cogeneration Associates, P.O. Box 159, Sunnyside, Utah 84539, has filed an application to permit Waste Coal Mining. Approval of this application will allow Sunnyside Cogeneration Associates to operate the Star Point Waste Fuel project under the provisions of the Utah Coal Mining and Reclamation Act and the Utah R645 Coal Mining Rules.

The permit area is comprised of 188 acres and is located at Wattis, Utah. The entire property is located within lands described as:

Township 15 South, Range 8 East, SLB&M.
Sections 2, 10, 15

Copies of the permit will be available for inspection at the following locations:

Utah Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84116

Utah Division of Oil, Gas and Mining
319 North Carbonville Road, Suite C
Price, Utah 84501

Mining activities were previously permitted by Permit C/007/042, dated November 14, 2003.

Written comments, objections, requests or an informal conference regarding this application must be submitted within 30 days of the last publication date of this notice, to the Utah Division of Oil, Gas and Mining, attention Coal Regulatory Program, 1594 West North Temple, Suite 1210, Salt Lake City, Utah 84116.

Published in the Sun Advocate: Dates:

RECEIVED
JUN 06 2008
DIV. OF OIL, GAS & MINING

IMPORTANT

If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

DISCLAIMER

The Certificate of Insurance on the reverse side of this form does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

IMPORTANT

If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

DISCLAIMER

The Certificate of Insurance on the reverse side of this form does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

WELLS
FARGO

WELLS FARGO BANK, N.A.
CORPORATE TRUST SERVICES
MAC: U1228-121
299 SOUTH MAIN STREET, 12TH FLOOR
SALT LAKE CITY, UT 84111

SUNNYSIDE COGENERATION ASSOCIATES
ESCROW ACCOUNT
DATED 10/09/2003

ACCOUNT NUMBER ██████████
QUARTERLY STATEMENT
OCTOBER 1, 2007 THROUGH DECEMBER 31, 2007

ACCOUNT MANAGER: CARL MATHIS
TELEPHONE NUMBER: (801)246-5299

ADMINISTRATOR: HEATHER ADDIE
TELEPHONE NUMBER: 801-246-5151

SUNNYSIDE COGENERATION ASSOCIATES
ATTN: PLANT MANAGER
ONE POWER PLANT ROAD
SUNNYSIDE, UT 84539

00208 S3



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FOR THE PERIOD OCTOBER 1, 2007 THROUGH DECEMBER 31, 2007

SUNNYSIDE ESCROW LTD. 10/9/03
ACCOUNT NUMBER [REDACTED]

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STATEMENT OF ASSETS	2
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CASH MANAGEMENT TRANSACTION JOURNAL	5



485332500024



ASSET SUMMARY
AS OF DECEMBER 31, 2007

SUNNYSIDE ESCROW DTD 10/9/03
ACCOUNT NUMBER [REDACTED]

ASSET SUMMARY

INVESTMENT CATEGORY	COST VALUE	MARKET VALUE	UNREALIZED GAIN/LOSS	ACCRUED INCOME
CASH	0.00	0.00		
CASH EQUIVALENTS	1,374,859.62	1,374,859.62	0.00	3,821.18
TOTAL INVESTMENTS	1,374,859.62	1,374,859.62	0.00	3,821.18

STATEMENT OF ASSETS
AS OF DECEMBER 31, 2007

SUNNYSIDE ESCROW DTD 10/9/03
ACCOUNT NUMBER [REDACTED]

STATEMENT OF ASSETS

PAR VALUE/SHARES	DESCRIPTION	COST VALUE / UNIT COST	MARKET VALUE / UNIT PRICE	UNREALIZED GAIN/LOSS	ACCRUED INCOME
CASH EQUIVALENTS					
1,374,859.62	WELLS FARGO ADVANTAGE 100% TREASURY MONEY MARKET FUND - #008	1,374,859.62 1.000	1,374,859.62 1.000	0.00	3,821.18
TOTAL CASH EQUIVALENTS		1,374,859.62	1,374,859.62	0.00	3,821.18
TOTAL INVESTMENTS		1,374,859.62	1,374,859.62	0.00	3,821.18



485332500034



CASH SUMMARY
FOR THE PERIOD OCTOBER 1, 2007 THROUGH DECEMBER 31, 2007

SUNNYSIDE ESCROW DTD 10/9/03
ACCOUNT NUMBER

CASH SUMMARY

DESCRIPTION	PRINCIPAL CASH	INCOME CASH
BEGINNING BALANCE	0.00	0.00
RECEIPTS		
NET INTEREST COLLECTED	0.00	12,934.34
TRANSFER RECEIPTS	12,934.34	0.00
TOTAL CASH RECEIPTS	12,934.34	12,934.34
DISBURSEMENTS		
TRANSFER DISBURSEMENTS	0.00	12,934.34
CASH MANAGEMENT PURCHASES	12,934.34	0.00
TOTAL CASH DISBURSEMENTS	12,934.34	12,934.34
ENDING BALANCE	0.00	0.00



STATEMENT OF TRANSACTIONS
FOR THE PERIOD OCTOBER 1, 2007 THROUGH DECEMBER 31, 2007

SUNNYSIDE ESCROW DTD 10/9/03
ACCOUNT NUMBER

STATEMENT OF TRANSACTIONS

DATE	PAR VALUE/SHARES	DESCRIPTION	PRINCIPAL CASH	INCOME CASH	COST VALUE	REALIZED GAIN/LOSS
		<u>BEGINNING BALANCE</u>	0.00	0.00	1,361,925.28	
10/01/07		INTEREST RECEIVED WF ADV 100% TREAS MM FD-SVC CL #008 INTEREST FROM 9/1/07 TO 9/30/07		4,440.29		
10/01/07		TRANSFER TO PRINCIPAL		4,440.29-		
10/01/07		ADDITION TO ACCOUNT TRANSFER FROM INCOME	4,440.29			
11/01/07		INTEREST RECEIVED WF ADV 100% TREAS MM FD-SVC CL #008 INTEREST FROM 10/1/07 TO 10/31/07		4,506.80		
11/01/07		TRANSFER TO PRINCIPAL		4,506.80-		
11/01/07		ADDITION TO ACCOUNT TRANSFER FROM INCOME	4,506.80			
12/03/07		INTEREST RECEIVED WF ADV 100% TREAS MM FD-SVC CL #008 INTEREST FROM 11/1/07 TO 11/30/07		3,987.25		
12/03/07		TRANSFER TO PRINCIPAL		3,987.25-		
12/03/07		ADDITION TO ACCOUNT TRANSFER FROM INCOME	3,987.25			
12/31/07	12,934.34	CASH SWEEP PURCHASES FOR STMT PERIOD WF ADV 100% TREAS MM FD-SVC CL #008 3 TRANSACTIONS	12,934.34-			12,934.34
		<u>ENDING BALANCE</u>	0.00	0.00	1,374,859.62	

483332500044



CASH MANAGEMENT TRANSACTION JOURNAL
FOR THE PERIOD OCTOBER 1, 2007 THROUGH DECEMBER 31, 2007

FORM 10-2003

SUNNYSIDE ESCROW DTD 10/9/03
ACCOUNT NUMBER

CASH MANAGEMENT TRANSACTION JOURNAL

DATE	PAR VALUE/SHARES	DESCRIPTION	PRINCIPAL CASH	INCOME CASH
10/01/07	4,440.29	PURCHASED WF ADV 100% TREAS MM FD-SVC CL #008	4,440.29-	
11/01/07	4,506.8	PURCHASED WF ADV 100% TREAS MM FD-SVC CL #008	4,506.80-	
12/03/07	3,987.25	PURCHASED WF ADV 100% TREAS MM FD-SVC CL #008	3,987.25-	
WF ADV 100% TREAS MM FD-SVC CL #008			12,934.34-	0.00
TOTAL PURCHASES/DEPOSITS				0.00
TOTAL SALES/WITHDRAWALS				0.00

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114. RIGHT-OF-ENTRY INFORMATION.....	8
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Exhibit 112.230a, Abandoned Mine Reclamation Fees – Correspondence	Page 100 - 3
Exhibit 112.500a, Land Classifications within the Permit Area	Page 100 - 7
Exhibit 114.100a, Right of Entry Authorization documents	Page 100 - 8
Exhibit 114.100b, Memorandum of Surface Use Agreement & Quitclaim Deed	Page 100 - 8
Exhibit 114.200a, Bill of Sale	Page 100 - 7
Exhibit 115.300a, County Road 290 Public Notice publication	Page 100 - 10
Exhibit 115.300b, County Road public access description	Page 100 - 10
Exhibit 117.100a, Certificate of Liability Insurance.....	Page 100 - 10
Exhibit 117.200a, Form for Advertisement of Application Filing.....	Page 100 - 10
Exhibit 117.200b, Proof of Publication of Newspaper Advertisements	Page 100 - 10
Exhibit 123.000a, Verification Statement.....	Page 100 - 11

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

6/3/2008
 Page 100-i

110. LEGAL, FINANCIAL, COMPLIANCE AND INFORMATION.

111.100-400. INTRODUCTION.

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

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

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

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

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

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

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

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

112. IDENTIFICATION OF INTERESTS.

112.100. Statement as to Type of Entity.

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

112.200-210. Information Regarding the Applicant.

Additional information regarding the applicant may be obtained by contacting:

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

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

Deleted: EIN: 52-2318424

Deleted: Fax: (435) 888-2538

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

Environmental Manager
Maggie T. Estrada
COSI
95 Enterprise, Suite 300
Aliso Viejo, CA 92656
Phone: (949) 425-4755
Fax: (949) 852-1720

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

Deleted: Attn: Ramiro Garcia

112.220. Information Regarding the Resident Agent.

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

112.230. Information Regarding Abandoned Mine Land Reclamation Fee.

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

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

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

6/3/2008
Page 100-3

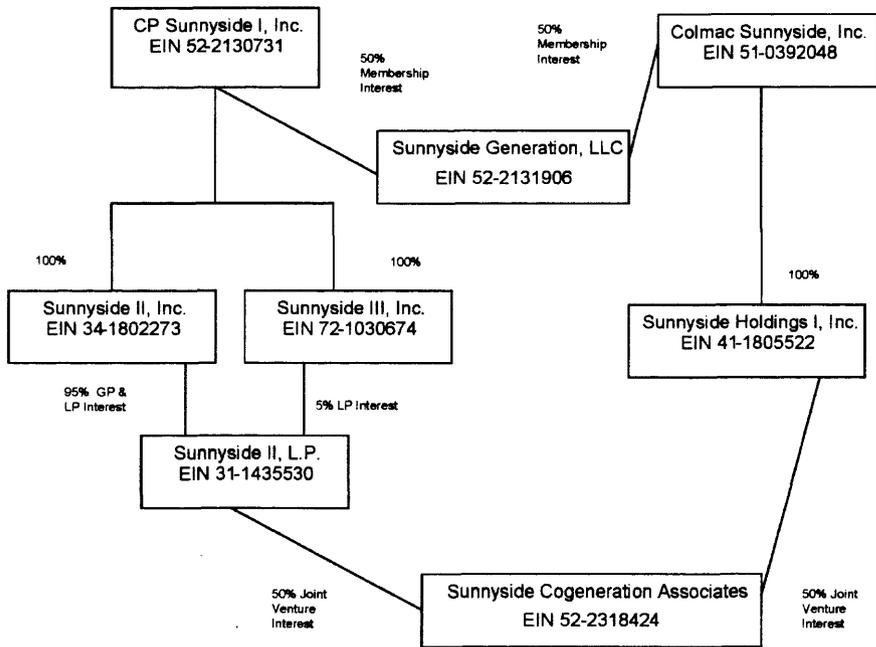
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112.300-330. Information Regarding "Owners" and "Controllers".

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

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

Sunnyside Organization Chart



CP Sunnyside I, Inc:

Directors: John T. Long
Steven B. Gross

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

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Officers: John T. Long Senior Vice President CGG
President CPG

Stephen B. Gross Vice President
Michael J. Blakey Vice President
Paul Shepard Vice President

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Steven L. Miller Secretary

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Daniel L. Haught Treasurer

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

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

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

Directors: John T. Long
Stephen B. Gross

Officers: John T. Long Senior Vice President CGG
President CPG

Stephen B. Gross Vice President
Michael J. Blakey Vice President
Paul Shepard Vice President

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Steven L. Miller Secretary

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Daniel L. Haught Treasurer

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

Colmac Sunnyside, Inc.:

Directors: Willis S. McLeese
Greg B. Lawyer

Deleted: Gilbert B. Warren

Officers: Willis S. McLeese Chairman and CEO

Greg B. Lawyer President

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

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Page 100-5

Robert S. McLeese Secretary and CFO

William Cangan Assistant Secretary

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

Sunnyside Holdings I, Inc.

Directors: Willis S. McLeese
Greg B. Lawyer

Officers: Willis S. McLeese Chairman and CEO
Greg B. Lawyer President and COO
Robert S. McLeese Secretary and CFO
William Cangan Assistant Secretary

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

112.340-420. Further Information Regarding Owners and Controllers.

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

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

112.500. Surface and Mineral Property.

The applicant, Plateau Mining Corporation, and the United States Bureau of Land Management (BLM) own surface properties within the permit area. SCA has purchased the waste coal pile located within the permit area pursuant to the Bill of

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

6/3/2008
Page 100-6

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Sale dated January 31, 2002 included in Exhibit 114.200a. The southern portion of the permit area, owned by the BLM, has been made available to SCA as detailed in the Assignment and Assumption of Federal Right-of-Way included in Exhibit 114.100a. Plateau Mining Corporation owns the surface property where SCA's substitute topsoil pile is stored. There are no purchasers of record under a real estate contract for the property to be mined.

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

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

112.600. Contiguous Property.

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

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

112.700. MSHA Numbers.

The name of the mining operations for which this application is submitted is:
STAR POINT WASTE FUEL
Mine I.D. Number 42-02334

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

112.800. Applicants Interest in Contiguous Lands.

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

112.900. Applicable Information Resubmittal.

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

113. VIOLATION INFORMATION.

113.100-250. Suspensions and Revocations.

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

113.300-350 Violations and Unabated Cessation Orders

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

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

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

114. RIGHT-OF-ENTRY INFORMATION.

114.100. Description of Legal Documents.

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

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

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

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

114.200-230. Private Mineral Estate.

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

114.300. Adjudication of Property Rights Disputes.

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

115. STATUS OF UNSUITABILITY CLAIMS.

115.100. Unsuitable Areas.

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

115.200. Exemptions.

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

115.300. Public Roads.

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

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

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

116. PERMIT TERM.

116.100. Start and Termination Dates.

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

116.200-220. Term in Excess of Five Years.

The permit application is for a term of 5 years.

117. INSURANCE.

117.100. Liability Insurance.

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

117.200. Proof of Publication.

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

117.300. Shared Facilities.

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

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

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

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

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

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118. APPLICATION FEE.

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

123. VERIFICATION.

The required verification statement is included as Exhibit 123.000a.

130. REPORTING OF TECHNICAL DATA.

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

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

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

The preparers of supporting studies include:

Section 200 –

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

Prime Farmland, NRCS

Section 300 –

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

Section 400 –

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

Section 500 –

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

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

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

Section 600 –

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

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

Section 700 –

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

140. MAPS AND PLANS.

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

150. COMPLETENESS.

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