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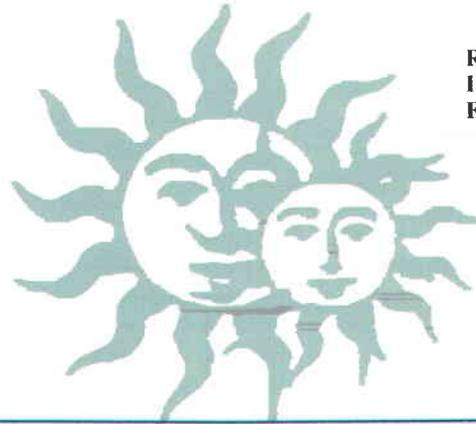
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Refer to Record No 0011 Date 04/28/2008

In C 0070042, 2008, Incoming

For additional information



2007 Annual Report

Sunnyside Cogeneration Associates

Star Point Waste Fuel

C/007/042





**SUNNYSIDE COGENERATION ASSOCIATES
STAR POINT WASTE FUEL
C/007/042
2007 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

File in:

Confidential

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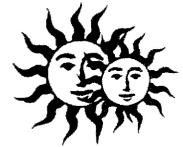
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Refer to Record No. 0011 Date 04/18/2008
In C 0070042, 2008, In coming
For additional information

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DIV. OF OIL, GAS & MINING



**SUNNYSIDE COGENERATION ASSOCIATES
STAR POINT WASTE FUEL
2007 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

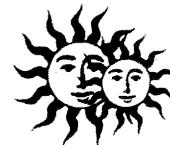
**Company Representative
& Resident Agent:** Mr. Michael J. Blakey
One Power Plant Road
PO Box 159
Sunnyside, UT 84539
(435) 888-4476
(435) 888-2538 fax

Date of Initial Permanent Program Permit: November 14, 2003

Date of Most Recent Permit Renewal: New Permit
The reclamation bond for SCA's Star Point facility was renewed during 2007.

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 2007 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

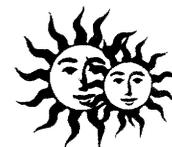
Under the Utah Pollutant Discharge Elimination System, the Utah Department of Water Quality issued SCA a Multi-Sector General Permit for Storm Water Discharges associated with Industrial Activities from Coal Mines and Coal Mining-related Facilities. A copy of this permit renewal has been included for reference in Appendix B-2 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. UDEQ DWQ is in the process of renewing the General Coal Mining Permit No. UTG040000. The draft permit, fact sheet/statement of basis and the Public notice for this permit were submitted to the EPA March 3, 2008. The cover letter for this submittal is included in Appendix B-2.

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.



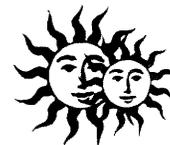
III. CERTIFIED REPORTS

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**.

During 2007, SCA conducted an extensive pond cleaning effort to ensure that all of the impoundments met or exceeded the storage capacity requirements identified in the permit. Material cleaned out of the sediment ponds was placed in the Disposal Area.

No discharges occurred from any of the UPDES discharge points during the 2007.

Excavation of Refuse from the Refuse Pile occurred in general conformance with the operational criteria and performance standards established in the permit. In 2007, 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 2007, SCA excavated a total of 209,751 tons of coal materials at the Star Point facility. This material was all transported to SCA's Sunnyside facilities.

b. Disposal Area

During 2007 SCA cleaned its sediment ponds at Star Point. Approximately 8,059 yards of material from this cleaning was deposited in the disposal area.

Inspections of the refuse area and 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 these areas 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 has 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.

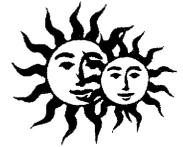
9. Other Data

No additional periodic data is required in the approved plan.



V. LEGAL, FINANCIAL, COMPLIANCE & RELATED INFORMATION

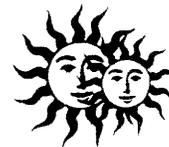
Sunnyside Cogeneration Associates is a joint venture between Sunnyside Holdings I, Inc. and Sunnyside II, L.P. **Appendix C** includes copies of the Certificates of Existence for Sunnyside Cogeneration Associates, Sunnyside Holdings I, Inc. and Sunnyside II, L.P. The Utah Department of Commerce, Division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



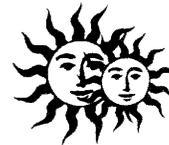
VI. MINE MAPS

The mine map included in **Appendix D** of this report provides a contour update and 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 April 2007. An October 2007 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.



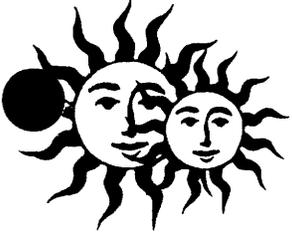
APPENDIX A CERTIFIED REPORTS



**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 24, 2007

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

RE: First Quarter 2007 Inspection Report
Star Point Refuse Pile C/007/042

Dear Pam:

Please find enclosed a copy of the First Quarter 2007 Inspection Report for the Star Point refuse pile, impoundments, and excess spoil area. The inspection was performed by a certified 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. Steve Gross
Ramiro Garcia
Paul Shepard
Rusty Netz
Plant File

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

GENERAL INFORMATION

Sediment Pond 005

Report Date April 6, 2007
Permit Number C/007/042
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 26, 2007
Inspected by S. Scott Carlson
Reason for Inspection First Quarter Inspection 2007

1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 6.96 Acre-feet
Pond bottom elevation = 7387.3
100% Sediment Storage Volume = 2.42 acre-feet at Elevation 7394.9
60% sediment Storage Volume = 1.45 acre feet at Elevation = 7393
Existing Sediment Elevation = 7396 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Orifice = 7394.9
Emergency Spillway Elevation = 7401.3

2. Field Information

Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on out slopes of embankments, etc.

Pond had some water in it but was not discharging. No samples were taken
Sediment level was in need of cleaning. Pond did not require decanting.
Embankment conditions were good. Vegetation on out slopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

Sediment Pond 005

3. Field Evaluation.

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

No recent changes in the geometry of the structure have been observed
Depth of impounded water was minimal
Sediment level was above clean out limit.
No other aspects were observed to affect stability or functionality.

QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: S. Scott Carlson Date: 4-07

**CERTIFIED REPORT
IMPOUNDMENT EVALUATION**

If you answer NO to these questions, please explain under comments

- 1. Is impoundment designed and constructed in accordance with the approved plan? YES
- 2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
- 3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

COMMENTS/ OTHER INFORMATION

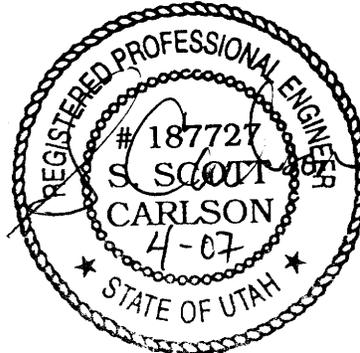
None

CERTIFICATION STATEMENT:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH

Affix Signature, Stamp and Date



IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

GENERAL INFORMATION

Sediment Pond 006

Report Date April 6, 2007
Permit Number C/007/042
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 26, 2007
Inspected by S. Scott Carlson
Reason for Inspection First Quarter Inspection 2007

1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 2.6 Acre-feet
Pond bottom elevation = 7132.7
100% Sediment Storage Volume = 0.76 acre-feet at Elevation 7140.7
60% sediment Storage Volume = 0.45 acre feet at Elevation = 7138.8
Existing Sediment Elevation = 7139.8 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Orifice = 7140.7
Emergency Spillway Elevation = 7147.2

2. Field Information

Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on out slopes of embankments, etc.

Pond had some water in it but was not discharging. No samples were taken
Sediment level was in need of cleaning. Pond did not require decanting.
Embankment conditions were good. Vegetation on out slopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

Sediment Pond 006

3. Field Evaluation.

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

No recent changes in the geometry of the structure have been observed

Depth of impounded water was minimal

Sediment level was above clean out limit.

No other aspects of the impounding structure were observed that could affect its stability or functionality.

QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: S. Scott Carlson Date: 4-07

**CERTIFIED REPORT
IMPOUNDMENT EVALUATION**

If you answer NO to these questions, please explain under comments

- 1. Is impoundment designed and constructed in accordance with the approved plan? YES
- 2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
- 3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

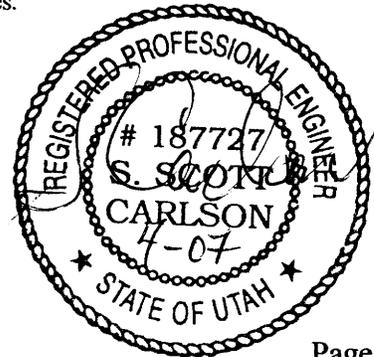
COMMENTS/ OTHER INFORMATION

None

CERTIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH



Affix Signature, Stamp and Date

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

GENERAL INFORMATION

Sediment Pond 009

Report Date April 6, 2007
Permit Number C/007/042
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 26, 2007
Inspected by S. Scott Carlson
Reason for Inspection First Quarter Inspection 2007

1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 7.4 Acre-feet
Pond bottom elevation = 7435.0
100% Sediment Storage Volume = 2.02 acre-feet at Elevation 7439.3
60% sediment Storage Volume = 1.21 acre feet at Elevation = 7437.7
Existing Sediment Elevation = 7438.8 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Orifice = 7439.8
Primary Spillway Elevation = 7445.5
Emergency Spillway Elevation = 7446.5

2. Field Information

Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on out slopes of embankments, etc.

Pond had some water in it but was not discharging. No samples were taken
Sediment level was in need of cleaning. Pond did not require decanting.
Embankment conditions were good. Vegetation on out slopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

Sediment Pond 009

3. Field Evaluation.

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

No recent changes in the geometry of the structure have been observed

Depth of impounded water was minimal

Sediment level was above clean out limit.

No other aspects of the impounding structure were observed that could affect its stability or functionality.

QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: S. Scott Carlson

Date: 4-07

**CERTIFIED REPORT
IMPOUNDMENT EVALUATION**

If you answer NO to these questions, please explain under comments

- 1. Is impoundment designed and constructed in accordance with the approved plan? YES
- 2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
- 3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

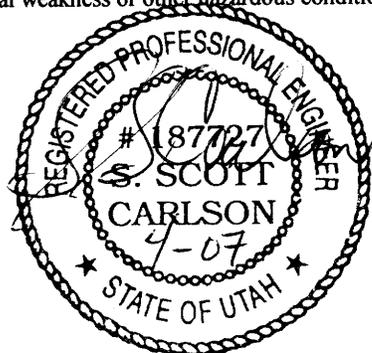
COMMENTS/ OTHER INFORMATION

None

CERTIFICATION STATEMENT:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH



Affix Signature, Stamp and Date

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

GENERAL INFORMATION

Coarse Refuse Pile

Report Date April 6, 2007
Permit Number C/007/042
Mine Name Star Point Waste Fuel
Company Name Sunnyside Cogeneration Associates

EXCESS SPOIL PILE OR REFUSE PILE IDENTIFICATION

File Name Coarse Refuse Pile
File Number N/A
MSHA ID Number Abandoned by MSHA Jan 2004

Inspection Date March 26, 2007
Inspected by S. Scott Carlson
Reason for Inspection First Quarter Inspection 2007

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

Field Evaluation

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

N/A

2. Placement of underdrains and protective filter systems.

N/A

3. Installation of final surface drainage systems

N/A

4. Placement and compaction of fill materials

N/A - Activities occurring at this time are associated with removal of refuse material

5. Final grading and revegetation of fill.

N/A

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

No aspects of the Fill structure were observed that could affect its stability or functionality

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

Coarse Refuse Pile

7. Other comments. Describe any changes in the geometry of the Excess Spoil/Refuse Pile structure, instrumentation, average and maximum lifts of materials placed in the pile, elevations of active benches, total and remaining storage capacity of the structure, evidence of fires in the pile and abatement of such fires, volumes of materials placed in the structure during the year, and any other aspect of the structure affecting its stability or function which has occurred during the reporting period

Refuse material is actively being excavated and removed from the top of the pile

QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with approved design and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: _____

S. Scott Carlson

Date: _____

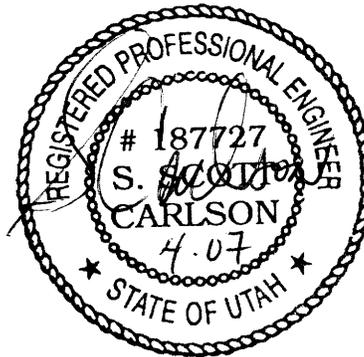
4-07

CERTIFICATION STATEMENT

I hereby certify that: I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with the approved design and meets or exceeds the minimum design requirements under all applicable federal, state, and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH

Affix Signature, Stamp and Date



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

GENERAL INFORMATION

Disposal Area

Report Date April 6, 2007
Permit Number C/007/042
Mine Name Star Point Waste Fuel
Company Name Sunnyside Cogeneration Associates

EXCESS SPOIL PILE OR REFUSE PILE IDENTIFICATION

File Name Disposal Area
File Number N/A
MSHA ID Number N/A

Inspection Date March 26, 2007
Inspected by S. Scott Carlson
Reason for Inspection First Quarter Inspection 2007

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

Field Evaluation

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

The site selected for the new disposal area is the old slurry ponds associated with the prior mining activity. No topsoil is available to be removed.

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

The disposal area did not receive any materials during the quarter.

5. Final grading and revegetation of fill.

N/A

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

No aspects of the Fill structure were observed that could affect its stability or functionality

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

Disposal Area

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

The disposal area did not receive any materials during the quarter.

QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with approved design and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: _____

S. Scott Carlson

Date: _____

4-07

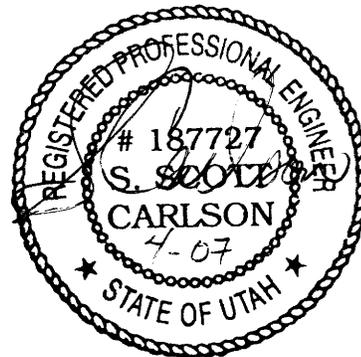
CERTIFICATION STATEMENT

I hereby certify that: I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with the approved design and meets or exceeds the minimum design requirements under all applicable federal, state, and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

By: S. Scott Carlson, PE, Twin Peaks, P.C.

P.E. Number & State: 187727 UTAH

Affix Signature, Stamp and Date





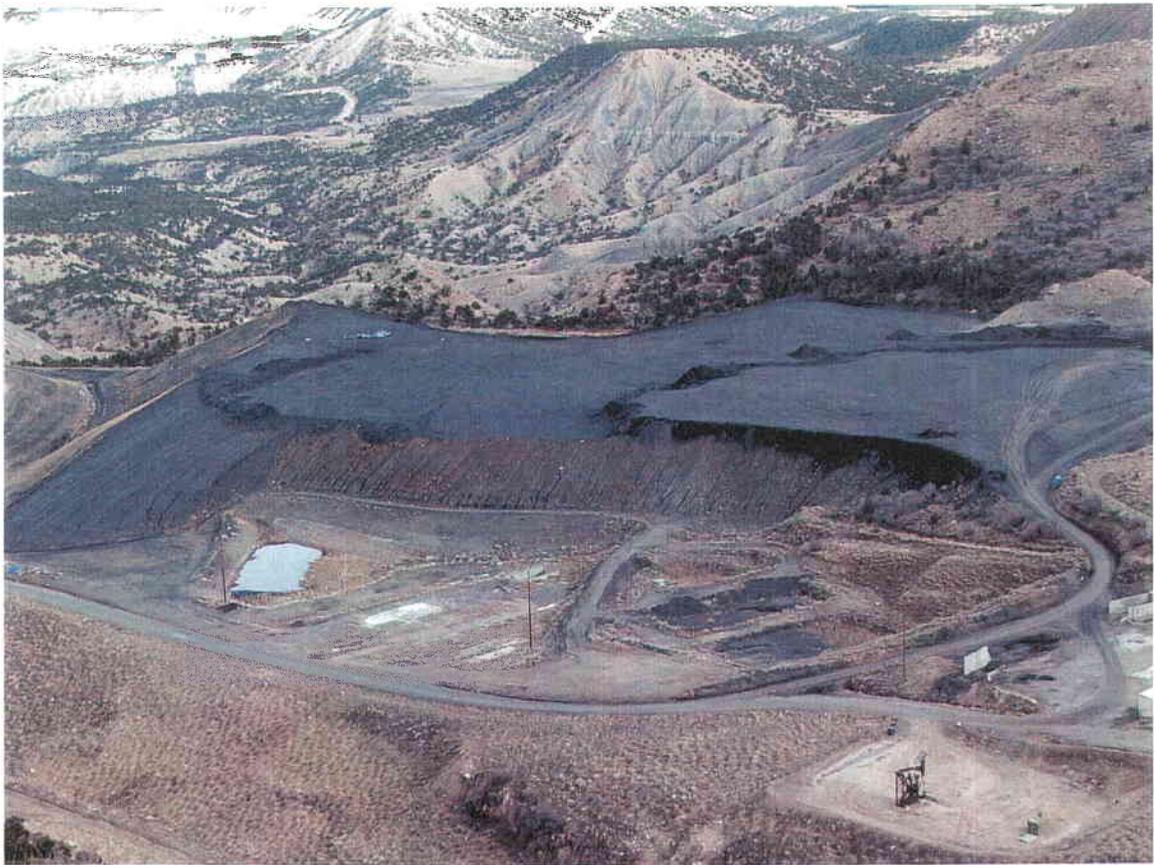
Sediment Pond #005 (looking easterly)

March 26, 2007



Sediment Pond #009 (looking easterly)

March 26, 2007



Coarse Refuse Pile (looking southeasterly)

March 26, 2007



Coarse Refuse Pile (looking northerly)

March 26, 2007



Coarse Refuse Pile (looking northeasterly)

March 26, 2007



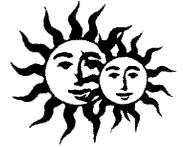
Coarse Refuse Pile (looking easterly)

March 26, 2007



Disposal Area (looking southeasterly)

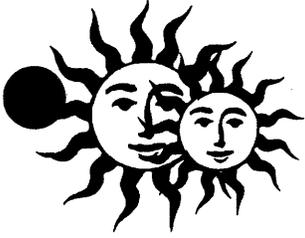
March 26, 2007



**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 30, 2007

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

RE: Second Quarter 2007 Inspection Report
Star Point Refuse Pile C/007/042

Dear Pam:

Please find enclosed a copy of the Second Quarter 2007 Inspection Report for the Star Point refuse pile, impoundments, and excess spoil area.

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. Steve Gross
William Rossiter
Paul Shepard
Ramiro Garcia
Rusty Netz
Plant File

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

GENERAL INFORMATION

Sediment Pond 005

Report Date July 20, 2007
Permit Number C/007/042
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 20, 2007
Inspected by Rusty Netz
Reason for Inspection Second Quarter Inspection 2007

1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 6.96 Acre-feet
Pond bottom elevation = 7387.3
100% Sediment Storage Volume = 2.42 acre-feet at Elevation 7394.9
60% sediment Storage Volume = 1.45 acre feet at Elevation = 7393
Existing Average Sediment Elevation = 7390 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Orifice = 7394.9
Emergency Spillway Elevation = 7401.3

2. Field Information

Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on out slopes of embankments, etc.

Pond had some water in it but was not discharging. No samples were taken
Sediment had recently been cleaned. Pond did not require decanting.
Embankment conditions were good. Vegetation on out slopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

Sediment Pond 005

3. Field Evaluation.

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

No recent changes in the geometry of the structure have been observed beyond sediment cleaning

Depth of impounded water was minimal

Sediment level was good.

No other aspects were observed to affect stability or functionality.

QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty nety Date: 7/26/07

**CERTIFIED REPORT
IMPOUNDMENT EVALUATION**

If you answer NO to these questions, please explain under comments

- 1. Is impoundment designed and constructed in accordance with the approved plan? YES
- 2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
- 3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

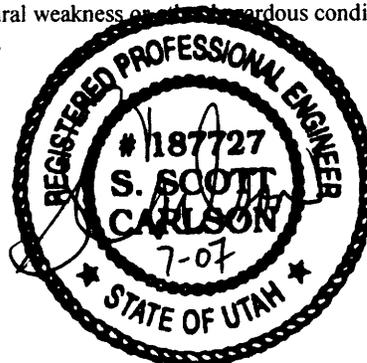
COMMENTS/ OTHER INFORMATION

None

CERTIFICATION STATEMENT:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH



Affix Signature, Stamp and Date

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

GENERAL INFORMATION

Sediment Pond 006

Report Date July 20, 2007
Permit Number C/007/042
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 20, 2007
Inspected by Rusty Netz
Reason for Inspection Second Quarter Inspection 2007

1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 2.6 Acre-feet
Pond bottom elevation = 7132.7
100% Sediment Storage Volume = 0.76 acre-feet at Elevation 7140.7
60% sediment Storage Volume = 0.45 acre feet at Elevation = 7138.8
Existing Average Sediment Elevation = 7133 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Orifice = 7140.7
Emergency Spillway Elevation = 7147.2

2. Field Information

Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on outslopes of embankments, etc.

Pond had no water in it. No samples were taken
Sediment had recently been cleaned. Pond did not require decanting.
Embankment conditions were good. Vegetation on outslopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

Sediment Pond 006

3. Field Evaluation.

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

No recent changes in the geometry of the structure have been observed beyond sediment cleaning

Depth of impounded water was minimal

Sediment level was good.

No other aspects of the impounding structure were observed that could affect its stability or functionality.

QUALIFICATION STATEMENT:

I hereby certify that, I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty [Signature] Date: 7/26/07

**CERTIFIED REPORT
IMPOUNDMENT EVALUATION**

If you answer NO to these questions, please explain under comments

- 1. Is impoundment designed and constructed in accordance with the approved plan? YES
- 2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
- 3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

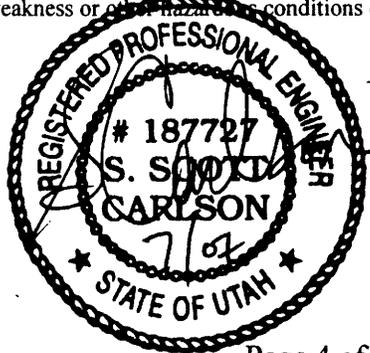
COMMENTS/ OTHER INFORMATION

None

CERTIFICATION STATEMENT:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH



Affix Signature, Stamp and Date

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

GENERAL INFORMATION

Sediment Pond 009

Report Date July 20, 2007
Permit Number C/007/042
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 20, 2007
Inspected by Rusty Netz
Reason for Inspection Second Quarter Inspection 2007

1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 7.4 Acre-feet
Pond bottom elevation = 7435.0
100% Sediment Storage Volume = 2.02 acre-feet at Elevation 7439.3
60% sediment Storage Volume = 1.21 acre feet at Elevation = 7437.7
Existing Average Sediment Elevation = 7436 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Orifice = 7439.8
Primary Spillway Elevation = 7445.5
Emergency Spillway Elevation = 7446.5

2. Field Information

Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on out slopes of embankments, etc.

Pond had no water in it. No samples were taken. Pond did not require decanting.
Sediment had recently been cleaned across much of the pond.
Embankment conditions were good. Vegetation on out slopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

Sediment Pond 009

3. Field Evaluation.

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

No recent changes in the geometry of the structure have been observed beyond sediment cleaning

Depth of impounded water was minimal
Sediment level was good.

No other aspects of the impounding structure were observed that could affect its stability or functionality.

QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty Rusty Date: 7/26/07

**CERTIFIED REPORT
IMPOUNDMENT EVALUATION**

If you answer NO to these questions, please explain under comments

- 1. Is impoundment designed and constructed in accordance with the approved plan? YES
- 2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
- 3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

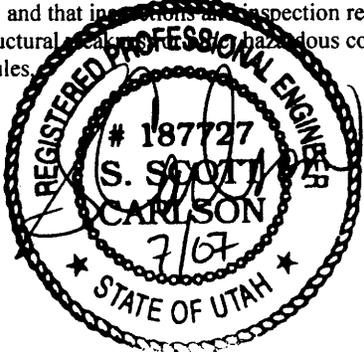
COMMENTS/ OTHER INFORMATION

None

CERTIFICATION STATEMENT:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH



Affix Signature, Stamp and Date

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

GENERAL INFORMATION

Coarse Refuse Pile

Report Date July 20, 2007
Permit Number C/007/042
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 20, 2007
Inspected by Rusty Netz
Reason for Inspection Second Quarter Inspection 2007

Attachment to Report? (such as refuse sample analysis or photos) **NO**

Field Evaluation

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

N/A

2. Placement of underdrains and protective filter systems.

N/A

3. Installation of final surface drainage systems

N/A

4. Placement and compaction of fill materials

N/A - Activities occurring at this time are associated with removal of refuse material

5. Final grading and revegetation of fill.

N/A

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

No aspects of the Fill structure were observed that could affect its stability or functionality

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

Coarse Refuse Pile

7. Other comments. Describe any changes in the geometry of the Excess Spoil/Refuse Pile structure, instrumentation, average and maximum lifts of materials placed in the pile, elevations of active benches, total and remaining storage capacity of the structure, evidence of fires in the pile and abatement of such fires, volumes of materials placed in the structure during the year, and any other aspect of the structure affecting its stability or function which has occurred during the reporting period

Refuse material is actively being excavated and removed from the top of the pile

QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with approved design and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

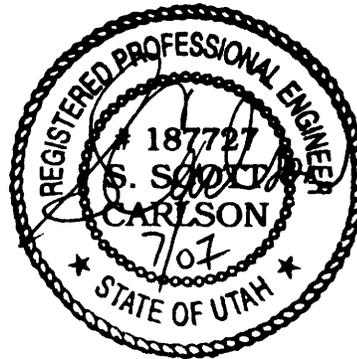
Signature: Rusty noty Date: 7/26/07

CERTIFICATION STATEMENT

I hereby certify that: I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with the approved design and meets or exceeds the minimum design requirements under all applicable federal, state, and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH

Affix Signature, Stamp and Date



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

GENERAL INFORMATION

Disposal Area

Report Date July 20, 2007
Permit Number C/007/042
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 20, 2007
Inspected by Rusty Netz
Reason for Inspection Second Quarter Inspection 2007

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

Field Evaluation

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

The site selected for the new disposal area is the old slurry ponds associated with the prior mining activity. No topsoil is available to be removed.

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

The disposal area received approximately 8059 cubic yards of material from sediment pond cleaning.

5. Final grading and revegetation of fill.

N/A

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

No aspects of the Fill structure were observed that could affect its stability or functionality

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

Disposal Area

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

The disposal area did not receive any materials during the quarter.

QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with approved design and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

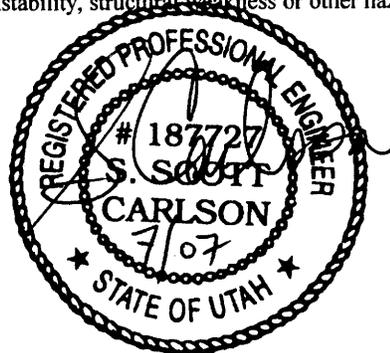
Signature: Rusty not Date: 7/26/07

CERTIFICATION STATEMENT

I hereby certify that: I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with the approved design and meets or exceeds the minimum design requirements under all applicable federal, state, and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH

Affix Signature, Stamp and Date





Sediment Pond #005 (looking westerly)

July, 2007



Sediment Pond #009 (looking easterly)

June, 2007



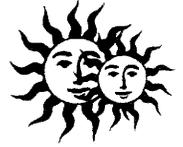
Sediment Pond #006 (looking westerly)

June, 2007



Disposal Area (looking southeasterly)

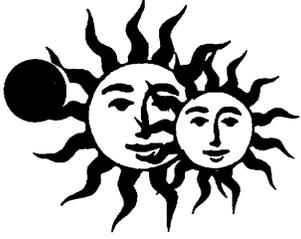
July 2007



**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 29, 2007

Pam Grubaugh-Littig
Utah Division of Oil, Gas & Mining
1594 W. North Temple, Suite 1210
Salt Lake City, Utah 84116

RE: Third Quarter 2007 Inspection Report
Star Point Refuse Pile C/007/042

Dear Pam:

Please find enclosed a copy of the Third Quarter 2007 Inspection Report for the Star Point refuse pile, impoundments, and excess spoil area.

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. Steve Gross
William Rossiter
Paul Shepard
Ramiro Garcia
Rusty Netz
Plant File

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

GENERAL INFORMATION

Sediment Pond 005

Report Date October 23, 2007
Permit Number C/007/042
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 25, 2007
Inspected by Rusty Netz
Reason for Inspection Third Quarter Inspection 2007

1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 6.96 Acre-feet
Pond bottom elevation = 7387.3
100% Sediment Storage Volume = 2.42 acre-feet at Elevation 7394.9
60% sediment Storage Volume = 1.45 acre feet at Elevation = 7393
Existing Average Sediment Elevation = 7390 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Orifice = 7394.9
Emergency Spillway Elevation = 7401.3

2. Field Information

Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on outslopes of embankments, etc.

Pond had some water in it but was not discharging. No samples were taken
Sediment had recently been cleaned. Pond did not require decanting.
Embankment conditions were good. Vegetation on outslopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

Sediment Pond 005

3. Field Evaluation.

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

No recent changes in the geometry of the structure have been observed beyond sediment cleaning

Depth of impounded water was minimal

Sediment level was good.

No other aspects were observed to affect stability or functionality.

QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty sety Date: 10/29/07

**CERTIFIED REPORT
IMPOUNDMENT EVALUATION**

If you answer NO to these questions, please explain under comments

- 1. Is impoundment designed and constructed in accordance with the approved plan? YES
- 2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
- 3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

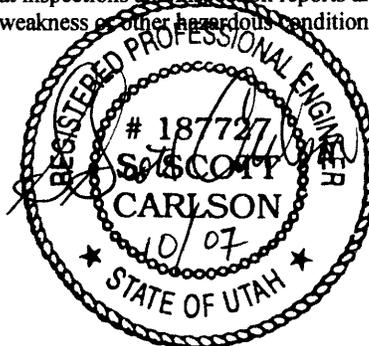
COMMENTS/ OTHER INFORMATION

None

CERTIFICATION STATEMENT:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH



Affix Signature, Stamp and Date

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

GENERAL INFORMATION

Sediment Pond 006

Report Date October 23, 2007
Permit Number C/007/042
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 25, 2007
Inspected by Rusty Netz
Reason for Inspection Third Quarter Inspection 2007

1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 2.6 Acre-feet
Pond bottom elevation = 7132.7
100% Sediment Storage Volume = 0.76 acre-feet at Elevation 7140.7
60% sediment Storage Volume = 0.45 acre feet at Elevation = 7138.8
Existing Average Sediment Elevation = 7133 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Orifice = 7140.7
Emergency Spillway Elevation = 7147.2

2. Field Information

Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on out slopes of embankments, etc.

Pond had no water in it. No samples were taken
Sediment had recently been cleaned. Pond did not require decanting.
Embankment conditions were good. Vegetation on out slopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

Sediment Pond 006

3. Field Evaluation.

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

No recent changes in the geometry of the structure have been observed beyond sediment cleaning

Depth of impounded water was minimal

Sediment level was good.

No other aspects of the impounding structure were observed that could affect its stability or functionality.

QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty Retz Date: 10/29/07

**CERTIFIED REPORT
IMPOUNDMENT EVALUATION**

If you answer NO to these questions, please explain under comments

- 1. Is impoundment designed and constructed in accordance with the approved plan? YES
- 2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
- 3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

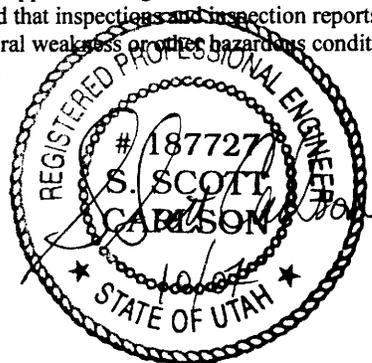
COMMENTS/ OTHER INFORMATION

None

CERTIFICATION STATEMENT:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH



Affix Signature, Stamp and Date

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

GENERAL INFORMATION

Sediment Pond 009

Report Date October 23, 2007
Permit Number C/007/042
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 25, 2007
Inspected by Rusty Netz
Reason for Inspection Third Quarter Inspection 2007

1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 7.4 Acre-feet
Pond bottom elevation = 7435.0
100% Sediment Storage Volume = 2.02 acre-feet at Elevation 7439.3
60% sediment Storage Volume = 1.21 acre feet at Elevation = 7437.7
Existing Average Sediment Elevation = 7436 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Orifice = 7439.8
Primary Spillway Elevation = 7445.5
Emergency Spillway Elevation = 7446.5

2. Field Information

Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on out slopes of embankments, etc.

Pond had no water in it. No samples were taken. Pond did not require decanting.
Sediment had recently been cleaned across much of the pond.
Embankment conditions were good. Vegetation on out slopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

Sediment Pond 009

3. Field Evaluation.

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

No recent changes in the geometry of the structure have been observed beyond sediment cleaning

Depth of impounded water was minimal

Sediment level was good.

No other aspects of the impounding structure were observed that could affect its stability or functionality.

QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty Rety Date: 10/29/07

**CERTIFIED REPORT
IMPOUNDMENT EVALUATION**

If you answer NO to these questions, please explain under comments

- 1. Is impoundment designed and constructed in accordance with the approved plan? YES
- 2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
- 3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

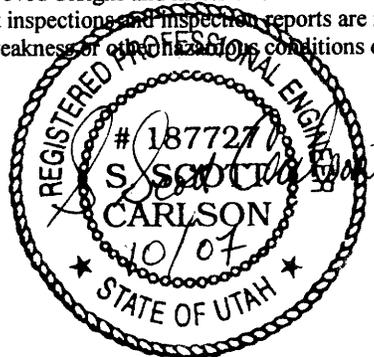
COMMENTS/ OTHER INFORMATION

None

CERTIFICATION STATEMENT:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH



Affix Signature, Stamp and Date

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

GENERAL INFORMATION

Coarse Refuse Pile

Report Date October 23, 2007
Permit Number C/007/042
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 25, 2007
Inspected by Rusty Netz
Reason for Inspection Third Quarter Inspection 2007

Attachment to Report? (such as refuse sample analysis or photos) **NO**

Field Evaluation

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

N/A

2. Placement of underdrains and protective filter systems.

N/A

3. Installation of final surface drainage systems

N/A

4. Placement and compaction of fill materials

N/A - Activities occurring at this time are associated with removal of refuse material

5. Final grading and revegetation of fill.

N/A

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

No aspects of the Fill structure were observed that could affect its stability or functionality

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

Coarse Refuse Pile

7. Other comments. Describe any changes in the geometry of the Excess Spoil/Refuse Pile structure, instrumentation, average and maximum lifts of materials placed in the pile, elevations of active benches, total and remaining storage capacity of the structure, evidence of fires in the pile and abatement of such fires, volumes of materials placed in the structure during the year, and any other aspect of the structure affecting its stability or function which has occurred during the reporting period

Refuse material is actively being excavated and removed from the top of the pile

QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with approved design and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty Noty Date: 10/29/07

CERTIFICATION STATEMENT

I hereby certify that: I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with the approved design and meets or exceeds the minimum design requirements under all applicable federal, state, and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH

Affix Signature, Stamp and Date



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

GENERAL INFORMATION

Disposal Area

Report Date October 23, 2007
Permit Number C/007/042
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 25, 2007
Inspected by Rusty Netz
Reason for Inspection Third Quarter Inspection 2007

Attachment to Report? (such as refuse sample analysis or photos) **No**

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 associated with the prior mining activity. No topsoil is available to be removed.

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

The disposal area did not receive any materials during the quarter.

5. Final grading and revegetation of fill.

N/A

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

No aspects of the Fill structure were observed that could affect its stability or functionality

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

Disposal Area

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

The disposal area did not receive any materials during the quarter.

QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with approved design and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: Rusty Nety Date: 10/29/07

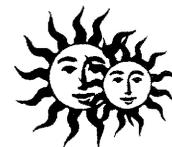
CERTIFICATION STATEMENT

I hereby certify that: I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with the approved design and meets or exceeds the minimum design requirements under all applicable federal, state, and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH

Affix Signature, Stamp and Date

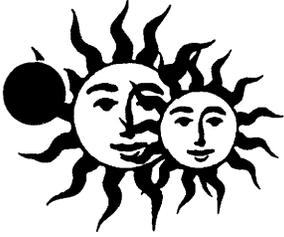




**APPENDIX A
CERTIFIED REPORTS**

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 24, 2008

Pam Grubaugh-Littig
Utah Division of Oil, Gas & Mining
1594 W. North Temple, Suite 1210
Salt Lake City, Utah 84116

RE: Fourth Quarter 2007 Inspection Report
Star Point Refuse Pile C/007/042

Dear Pam:

Please find enclosed a copy of the Fourth Quarter 2007 Inspection Report for the Star Point refuse pile, impoundments, and excess spoil area.

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. Steve Gross
William Rossiter
Paul Shepard
Ramiro Garcia
Rusty Netz
Plant File

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

GENERAL INFORMATION

Sediment Pond 005

Report Date January 18, 2008
Permit Number C/007/042
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 October 26, 2007
Inspected by Scott Carlson
Reason for Inspection Fourth Quarter Inspection 2007

1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 6.96 Acre-feet
Pond bottom elevation = 7387.3
100% Sediment Storage Volume = 2.42 acre-feet at Elevation 7394.9
60% sediment Storage Volume = 1.45 acre feet at Elevation = 7393
Existing Average Sediment Elevation = 7390 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Orifice = 7394.9
Emergency Spillway Elevation = 7401.3

2. Field Information

Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on out slopes of embankments, etc.

Pond had some water in it but was not discharging. No samples were taken
Sediment had recently been cleaned. Pond did not require decanting.
Embankment conditions were good. Vegetation on out slopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

Sediment Pond 005

3. Field Evaluation.

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

No recent changes in the geometry of the structure have been observed beyond sediment cleaning

Depth of impounded water was minimal

Sediment level was good.

No other aspects were observed to affect stability or functionality.

QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: S. Carlson

Date: 1/08

**CERTIFIED REPORT
IMPOUNDMENT EVALUATION**

If you answer NO to these questions, please explain under comments

- 1. Is impoundment designed and constructed in accordance with the approved plan? YES
- 2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
- 3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

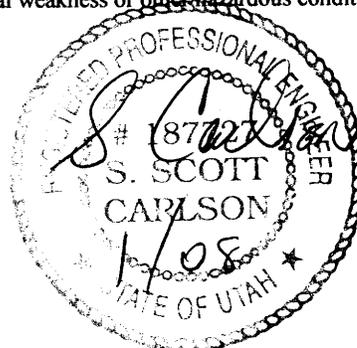
COMMENTS/ OTHER INFORMATION

None

CERTIFICATION STATEMENT:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH



Affix Signature, Stamp and Date

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

GENERAL INFORMATION

Sediment Pond 006

Report Date January 18, 2008
Permit Number C/007/042
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 October 26, 2007
Inspected by Scott Carlson
Reason for Inspection Fourth Quarter Inspection 2007

1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 2.6 Acre-feet
Pond bottom elevation = 7132.7
100% Sediment Storage Volume = 0.76 acre-feet at Elevation 7140.7
60% sediment Storage Volume = 0.45 acre feet at Elevation = 7138.8
Existing Average Sediment Elevation = 7133 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Orifice = 7140.7
Emergency Spillway Elevation = 7147.2

2. Field Information

Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on out slopes of embankments, etc.

Pond had no water in it. No samples were taken
Sediment had recently been cleaned. Pond did not require decanting.
Embankment conditions were good. Vegetation on out slopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

Sediment Pond 006

3. Field Evaluation.

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

No recent changes in the geometry of the structure have been observed beyond sediment cleaning

Depth of impounded water was minimal

Sediment level was good.

No other aspects of the impounding structure were observed that could affect its stability or functionality.

QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: S. Carlson

Date: 1/08

**CERTIFIED REPORT
IMPOUNDMENT EVALUATION**

If you answer NO to these questions, please explain under comments

- 1. Is impoundment designed and constructed in accordance with the approved plan? YES
- 2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
- 3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

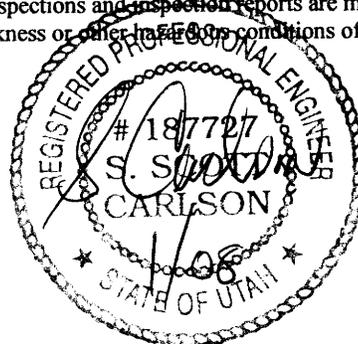
COMMENTS/ OTHER INFORMATION

None

CERTIFICATION STATEMENT:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH



Affix Signature, Stamp and Date

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

GENERAL INFORMATION

Sediment Pond 009

Report Date January 18, 2008
Permit Number C/007/042
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 October 26, 2007
Inspected by Scott Carlson
Reason for Inspection Fourth Quarter Inspection 2007

1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 7.4 Acre-feet
Pond bottom elevation = 7435.0
100% Sediment Storage Volume = 2.02 acre-feet at Elevation 7439.3
60% sediment Storage Volume = 1.21 acre feet at Elevation = 7437.7
Existing Average Sediment Elevation = 7436 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Orifice = 7439.8
Primary Spillway Elevation = 7445.5
Emergency Spillway Elevation = 7446.5

2. Field Information

Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on outslopes of embankments, etc.

Pond had no water in it. No samples were taken. Pond did not require decanting.
Sediment had recently been cleaned across much of the pond.
Embankment conditions were good. Vegetation on outslopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

Sediment Pond 009

3. Field Evaluation.

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

No recent changes in the geometry of the structure have been observed beyond sediment cleaning

Depth of impounded water was minimal

Sediment level was good.

No other aspects of the impounding structure were observed that could affect its stability or functionality.

QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: S. Carlson

Date: 1/21/08

CERTIFIED REPORT IMPOUNDMENT EVALUATION

If you answer NO to these questions, please explain under comments

1. Is impoundment designed and constructed in accordance with the approved plan? YES
2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

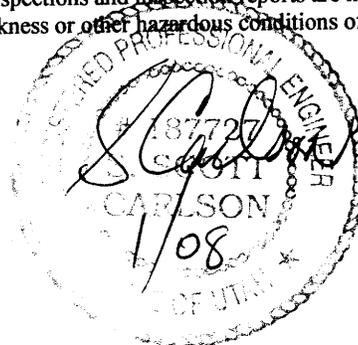
COMMENTS/ OTHER INFORMATION

None

CERTIFICATION STATEMENT:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH



Affix Signature, Stamp and Date

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

GENERAL INFORMATION

Coarse Refuse Pile

Report Date January 18, 2008
Permit Number C/007/042
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 October 26, 2007
Inspected by Scott Carlson
Reason for Inspection Fourth Quarter Inspection 2007

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

Field Evaluation

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

N/A

2. Placement of underdrains and protective filter systems.

N/A

3. Installation of final surface drainage systems

N/A

4. Placement and compaction of fill materials

N/A - Activities occurring at this time are associated with removal of refuse material

5. Final grading and revegetation of fill.

N/A

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

No aspects of the Fill structure were observed that could affect its stability or functionality

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

Coarse Refuse Pile

7. Other comments. Describe any changes in the geometry of the Excess Spoil/Refuse Pile structure, instrumentation, average and maximum lifts of materials placed in the pile, elevations of active benches, total and remaining storage capacity of the structure, evidence of fires in the pile and abatement of such fires, volumes of materials placed in the structure during the year, and any other aspect of the structure affecting its stability or function which has occurred during the reporting period

Refuse material is actively being excavated and removed from the top of the pile

QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with approved design and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: _____

S. Scott Carlson

Date: _____

1/21/08

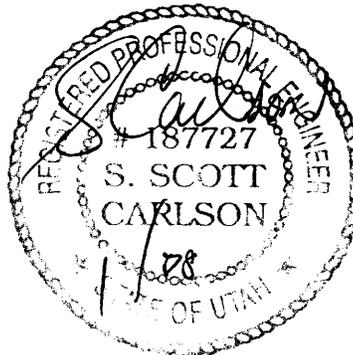
CERTIFICATION STATEMENT

I hereby certify that: I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with the approved design and meets or exceeds the minimum design requirements under all applicable federal, state, and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

By: S. Scott Carlson, PE, Twin Peaks, P.C.

P.E. Number & State: 187727 UTAH

Affix Signature, Stamp and Date



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

GENERAL INFORMATION

Disposal Area

Report Date January 18, 2008
Permit Number C/007/042
Mine Name Star Point Waste Fuel
Company Name Sunnyside Cogeneration Associates

EXCESS SPOIL PILE OR REFUSE PILE IDENTIFICATION

File Name Disposal Area
File Number N/A
MSHA ID Number N/A

Inspection Date October 26, 2007
Inspected by Scott Carlson
Reason for Inspection Fourth Quarter Inspection 2007

Attachment to Report? (such as refuse sample analysis or photos) **No**

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 associated with the prior mining activity. No topsoil is available to be removed.

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

The disposal area did not receive any materials during the quarter.

5. Final grading and revegetation of fill.

N/A

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

No aspects of the Fill structure were observed that could affect its stability or functionality

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

Disposal Area

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

The disposal area did not receive any materials during the quarter.

QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with approved design and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: _____

S. Scott Carlson

Date: _____

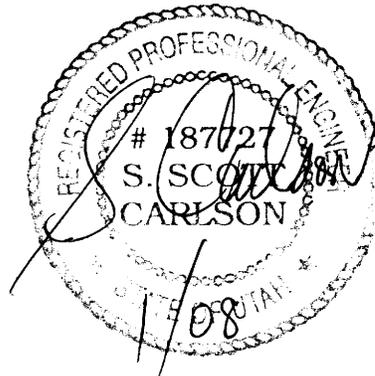
1/21/08

CERTIFICATION STATEMENT

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By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH

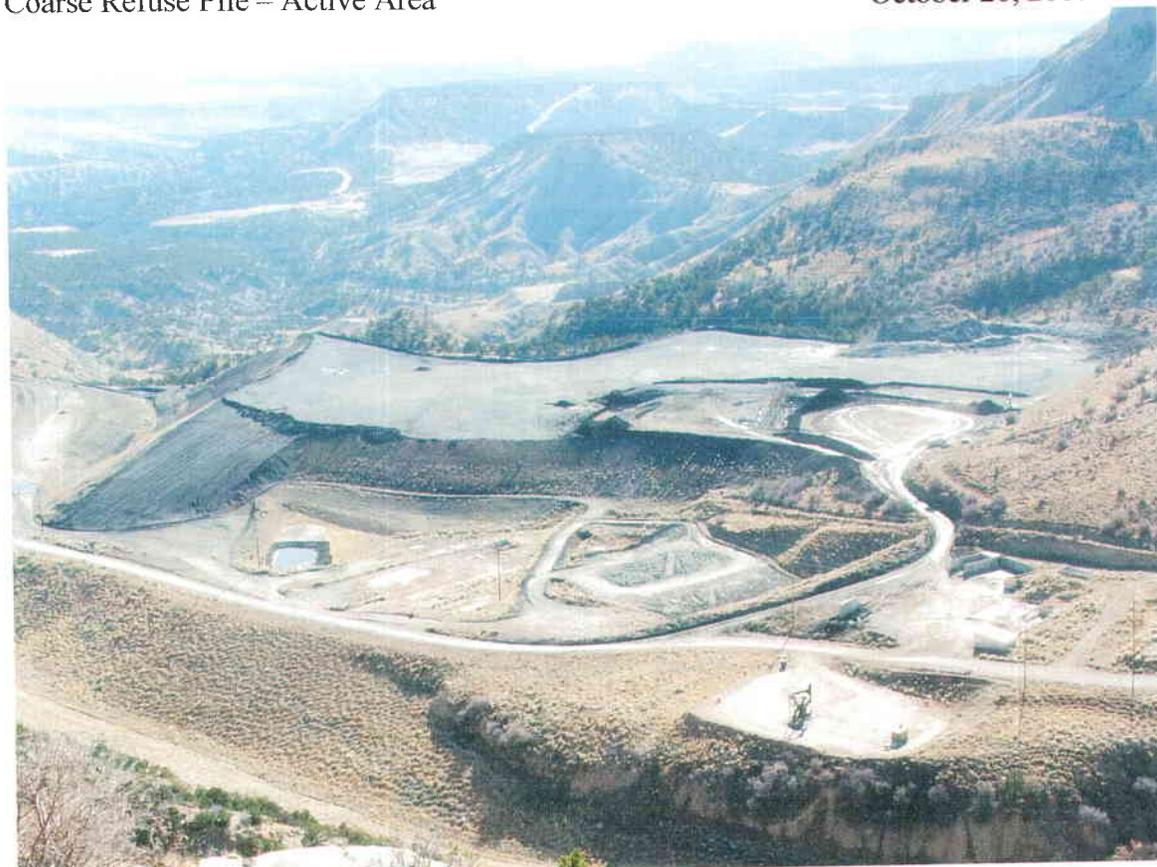
Affix Signature, Stamp and Date





Coarse Refuse Pile -- Active Area

October 26, 2007



Coarse Refuse Pile

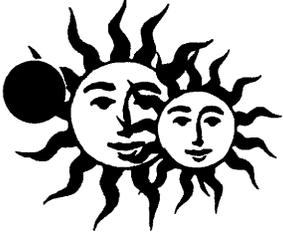
October 26, 2007



**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 24, 2008

Pam Grubaugh-Littig
Division of Oil, Gas & Mining
1594 W. North Temple, Suite 1210
Salt Lake City, Utah 84116

RE: Annual 2007 Inspection Report
Star Point Refuse Pile C/007/042

Dear Pam:

Please find enclosed a copy of the Annual 2007 Inspection Report for the Star Point refuse pile, impoundments, and excess spoil area.

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. Steve Gross
William Rossiter
Paul Shepard
Ramiro Garcia
Rusty Netz
Plant File

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

GENERAL INFORMATION

Sediment Pond 005

Report Date January 18, 2008
Permit Number C/007/042
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 October 26, 2007
Inspected by Scott Carlson
Reason for Inspection Annual Inspection 2007

1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 6.96 Acre-feet
Pond bottom elevation = 7387.3
100% Sediment Storage Volume = 2.42 acre-feet at Elevation 7394.9
60% sediment Storage Volume = 1.45 acre feet at Elevation = 7393
Existing Average Sediment Elevation = 7390 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Orifice = 7394.9
Emergency Spillway Elevation = 7401.3

2. Field Information

Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanup, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on out slopes of embankments, etc.

Pond had some water in it but was not discharging. No samples were taken
Sediment was cleaned out during 2007. Pond did not require decanting.
Embankment conditions were good. Vegetation on out slopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

Sediment Pond 005

3. Field Evaluation.

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

No recent changes in the geometry of the structure have been observed beyond sediment cleaning

Depth of impounded water was minimal

Sediment level was good.

No other aspects were observed to affect stability or functionality.

QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: S. Carlson

Date: 1/08

**CERTIFIED REPORT
IMPOUNDMENT EVALUATION**

If you answer NO to these questions, please explain under comments

- 1. Is impoundment designed and constructed in accordance with the approved plan? YES
- 2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
- 3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

COMMENTS/ OTHER INFORMATION

None

CERTIFICATION STATEMENT:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH



Affix Signature, Stamp and Date

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

GENERAL INFORMATION

Sediment Pond 006

Report Date January 18, 2008
Permit Number C/007/042
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 October 26, 2007
Inspected by Scott Carlson
Reason for Inspection Annual Inspection 2007

1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 2.6 Acre-feet
Pond bottom elevation = 7132.7
100% Sediment Storage Volume = 0.76 acre-feet at Elevation 7140.7
60% sediment Storage Volume = 0.45 acre feet at Elevation = 7138.8
Existing Average Sediment Elevation = 7133 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Orifice = 7140.7
Emergency Spillway Elevation = 7147.2

2. Field Information

Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on out slopes of embankments, etc.

Pond had no water in it. No samples were taken
Sediment was cleaned out during 2007. Pond did not require decanting.
Embankment conditions were good. Vegetation on out slopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

Sediment Pond 006

3. Field Evaluation.

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

No recent changes in the geometry of the structure have been observed beyond sediment cleaning

Depth of impounded water was minimal

Sediment level was good.

No other aspects of the impounding structure were observed that could affect its stability or functionality.

QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: S. Carlson

Date: 1/08

**CERTIFIED REPORT
IMPOUNDMENT EVALUATION**

If you answer NO to these questions, please explain under comments

- 1. Is impoundment designed and constructed in accordance with the approved plan? YES
- 2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
- 3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

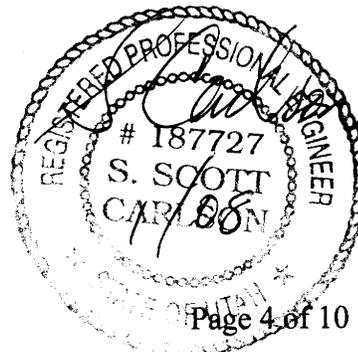
COMMENTS/ OTHER INFORMATION

None

CERTIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH



Affix Signature, Stamp and Date

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

GENERAL INFORMATION

Sediment Pond 009

Report Date January 18, 2008
Permit Number C/007/042
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 October 26, 2007
Inspected by Scott Carlson
Reason for Inspection Annual Inspection 2007

1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.

None

a. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.

Total Pond Volume = 7.4 Acre-feet
Pond bottom elevation = 7435.0
100% Sediment Storage Volume = 2.02 acre-feet at Elevation 7439.3
60% sediment Storage Volume = 1.21 acre feet at Elevation = 7437.7
Existing Average Sediment Elevation = 7436 +/-

b. Principle and emergency spillway elevations.

Primary Dewatering Orifice = 7439.8
Primary Spillway Elevation = 7445.5
Emergency Spillway Elevation = 7446.5

2. Field Information

Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/ instrumentation information, inlet/ outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/ repairs, monitoring information, vegetation on out slopes of embankments, etc.

Pond had no water in it. No samples were taken. Pond did not require decanting.
Sediment was cleaned out across much of the pond during 2007.
Embankment conditions were good. Vegetation on out slopes was adequate.
Inlet / Outlet conditions were good. No structural or hazardous conditions were observed.

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

Sediment Pond 009

3. Field Evaluation.

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

No recent changes in the geometry of the structure have been observed beyond sediment cleaning

Depth of impounded water was minimal

Sediment level was good.

No other aspects of the impounding structure were observed that could affect its stability or functionality.

QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

Signature: _____

S. Carlson

Date: _____

1/08

CERTIFIED REPORT IMPOUNDMENT EVALUATION

If you answer NO to these questions, please explain under comments

1. Is impoundment designed and constructed in accordance with the approved plan? YES
2. Is impoundment free of instability, structural weakness, or any other hazardous conditions? YES
3. Has the impoundment met all applicable performance standards and effluent limitations from the previous date of inspection? YES

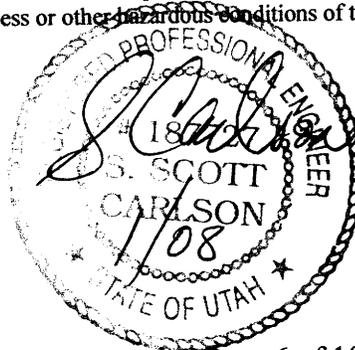
COMMENTS/ OTHER INFORMATION

None

CERTIFICATION STATEMENT:

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved designs and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.

By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH



Affix Signature, Stamp and Date

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

GENERAL INFORMATION

Coarse Refuse Pile

Report Date January 18, 2008
Permit Number C/007/042
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 October 26, 2007
Inspected by Scott Carlson
Reason for Inspection Annual Inspection 2007

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

Field Evaluation

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

N/A

2. Placement of underdrains and protective filter systems.

N/A

3. Installation of final surface drainage systems

N/A

4. Placement and compaction of fill materials

N/A - Activities occurring at this time are associated with removal of refuse material

5. Final grading and revegetation of fill.

N/A

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

No aspects of the Fill structure were observed that could affect its stability or functionality

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

Coarse Refuse Pile

7. Other comments. Describe any changes in the geometry of the Excess Spoil/Refuse Pile structure, instrumentation, average and maximum lifts of materials placed in the pile, elevations of active benches, total and remaining storage capacity of the structure, evidence of fires in the pile and abatement of such fires, volumes of materials placed in the structure during the year, and any other aspect of the structure affecting its stability or function which has occurred during the reporting period

Refuse material is actively being excavated and removed from the top of the pile

QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with approved design and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

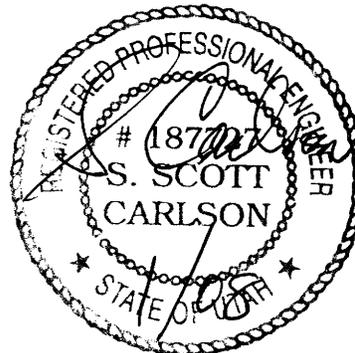
Signature: S. Carlson Date: 1/08

CERTIFICATION STATEMENT

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By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH

Affix Signature, Stamp and Date



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

GENERAL INFORMATION

Disposal Area

Report Date January 18, 2008
Permit Number C/007/042
Mine Name Star Point Waste Fuel
Company Name Sunnyside Cogeneration Associates

EXCESS SPOIL PILE OR REFUSE PILE IDENTIFICATION

File Name Disposal Area
File Number N/A
MSHA ID Number N/A

Inspection Date October 26, 2007
Inspected by Scott Carlson
Reason for Inspection Annual Inspection 2007

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

Field Evaluation

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

The site selected for the new disposal area is the old slurry ponds associated with the prior mining activity. No topsoil is available to be removed.

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

The disposal area received approximately 8,059 cubic yards of material from sediment pond cleaning.

5. Final grading and revegetation of fill.

N/A

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

No aspects of the Fill structure were observed that could affect its stability or functionality

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

Disposal Area

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

The disposal area only received materials during the mid part of the year from pond cleaning.

QUALIFICATION STATEMENT:

I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with approved design and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and that inspections are made by myself and include any appearances of instability, structural weakness or other hazardous condition of the structure affecting stability.

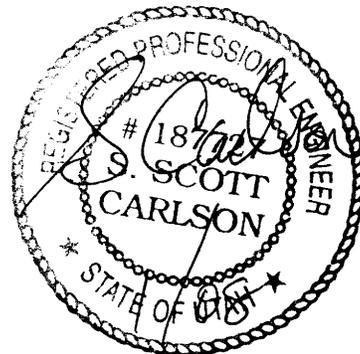
Signature: S. Carlson Date: 1/08

CERTIFICATION STATEMENT

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By: S. Scott Carlson, PE, Twin Peaks, P.C.
P.E. Number & State: 187727 UTAH

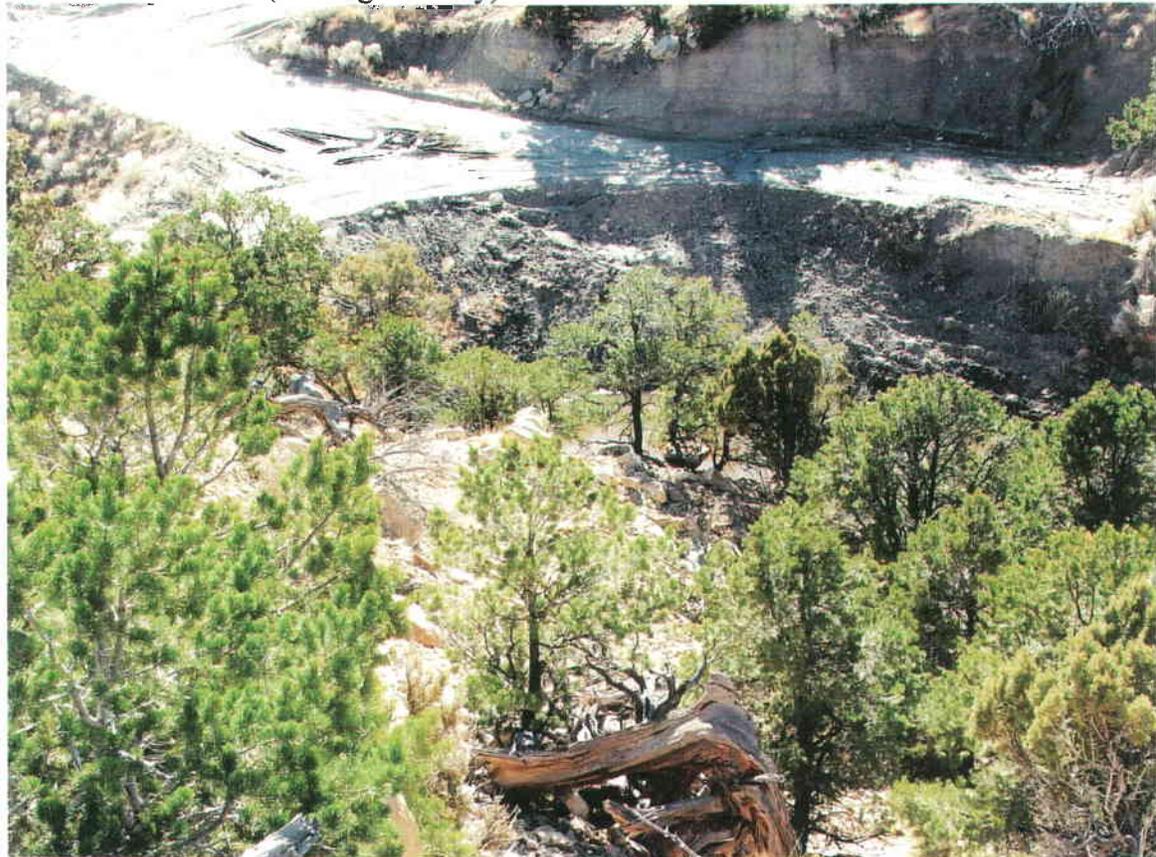
Affix Signature, Stamp and Date





Sediment Pond 006 (looking westerly)

June 2007



Sediment Pond 006 (looking southerly)

October 26, 2007



Sediment Pond 009 (looking easterly)

March 26, 2007



Sediment Pond 009 (looking easterly)

October 26, 2007



Sediment Pond 005 (looking easterly)

March 26, 2007



Sediment Pond 005 (looking westerly)

October 26, 2007



Coarse Refuse Pile (looking southeasterly)

March 26, 2007



Coarse Refuse Pile (looking northerly)

March 26, 2007



Coarse Refuse Pile (looking northeasterly)

March 26, 2007



Coarse Refuse Pile (looking easterly)

March 26, 2007



Coarse Refuse Pile – Active Area

October 26, 2007



Coarse Refuse Pile

October 26, 2007



Disposal Area (looking southeasterly)

March 26, 2007



Disposal Area (looking southeasterly)

October 26, 2007



APPENDIX B-1

STORM WATER PERMIT RENEWAL



State of Utah

Department of
Environmental Quality

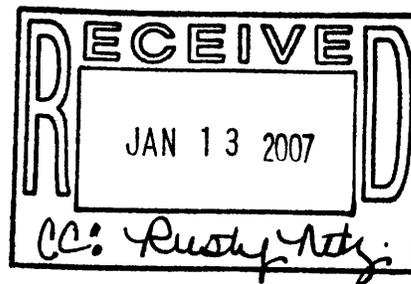
Dianne R. Nielson, Ph.D.
Executive Director

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.

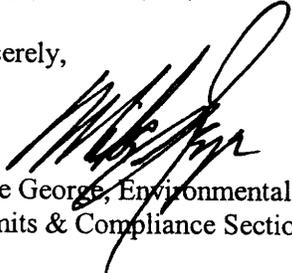
As the agency charged with the administration of issuing UPDES Permits, we are

Page 2

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.

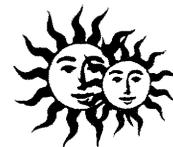
Sincerely,



Mike George, Environmental Scientist
Permits & Compliance Section

Enclosure

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



APPENDIX B-2
GENERAL UPDES PERMIT RENEWAL



State of Utah

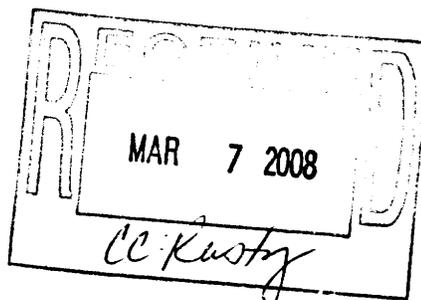
Department of
Environmental Quality

Richard W. Sprott
Executive Director

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

JON M. HUNTSMAN, JR.
Governor

GARY HERBERT
Lieutenant Governor



March 3, 2008

Qian Zhang, P.E.
U.S. EPA, Region VIII (8P-W-P)
1595 Wynkoop Street
Denver, CO 80202-1129

Dear Mr. Zhang:

Subject: Draft UPDES General Coal Mining Permit No. UTG040000.

Enclosed is a copy of the draft UPDES General Coal Mining Permit No. UTG040000, the Fact Sheet/Statement of Basis, and the Public Notice for this permit.

If you have any questions or comments with regards to this matter, please contact Jeff Studenka at (801) 538-6779 or jstudenka@utah.gov.

Sincerely,

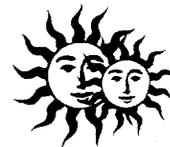
Mike Herkimer, Manager
UPDES IES Section

MH:JS:ev

Enclosures

cc(w/encl): Claron D. Bjork, Southeastern Utah District Health Department
Dave Ariotti, SE District Engineer
Boyd Rhodes, Savage Coal Terminal
Mark Reynolds, CW Mining-Bear Canyon Mine
Bruce Hill, ANDALEX Resources-Wildcat Loadout
Earl Snow, PacifiCorp-Cottonwood Coal Prep. & Blend. Facility
Patrick Collins, NEICO Wellington Coal Prep. Plant
Vicky Miller, Canyon Fuel Co.,-Banning Loadout
Dennis Ware, Plateau Mining Corp.
Jay Marshall, UtahAmerican Energy-Lila Canyon Mine
Kit Pappas, Hidden Splendor Resources-Horizon Mine
Rusty Netz, Sunnyside Cogen.-Star Point Refuse Pile
Jonathan Pachter, Consolidation Coal Co.-Hidden Valley Mine
Mary Ann Wright, DOGM
Jim Karpowitz, Utah Division of Wildlife Resources (w/o encl)
Nathan Darnall, U.S. Fish & Wildlife Services (w/o encl)

F:\wp\GP-Coal Mines\Coal Mine Fac EPA 2008 draft permit Ltr.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>

04/14/2008
1215877-014304142008-2826213

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

[Online Services](#)[Agency List](#)[Business](#) 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

1105 N. MARKET STREET SUITE 1300
WILMINGTON, DE 19801

Status

Status:	Active
Status Description:	Good Standing
This Status Date:	03/23/2006
Last Renewed:	01/03/2008
License Type:	Corporation - Foreign - Profit
Delinquent Date:	12/30/2008

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...

If you would like to view images of paper filings for this business entity, select the button to the left. You will be assessed a \$ 2.00 fee per image of a document for this service.

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.



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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Salt Lake City, UT 84114-6705
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Toll Free: (877) 526-3994 Utah Residents
Fax: (801) 530-6438
Web Site: <http://www.commerce.utah.gov>

04/14/2008
2113550-018104142008-3052709

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 17TH FLOOR
BALTIMORE, MD 21202

Status

Status:	Active
Status Description:	Good Standing
This Status Date:	N/A
Last Renewed:	11/15/2007
License Type:	Limited Partnership - Foreign
Delinquent Date:	12/30/2008

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...

If you would like to view images of paper filings for this business entity, select the button to the left. You will be assessed a \$ 2.00 fee per image of a document for this service.

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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Fax: (801) 530-6438
Web Site: <http://www.commerce.utah.gov>

04/14/2008
4911242-015004142008-3204598

CERTIFICATE OF EXISTENCE

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

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



Kathy Berg

Kathy Berg
Director
Division of Corporations and Commercial Code

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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:	02/22/2007
License Type:	DBA
Delinquent Date:	04/24/2010

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:	2211
NAICS Title:	2211-Electric Power Generation, Transmis

With this information, you can...

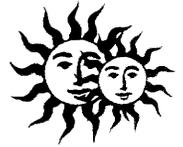
Images are not available for DBA documents at this time.

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.



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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APPENDIX D

MINE MAP