

Mine file

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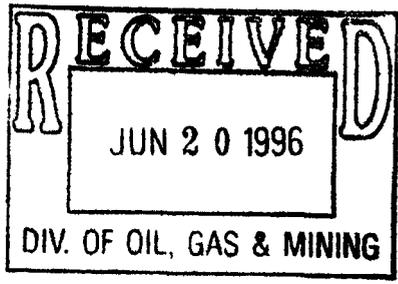
Direct Dial
(801) 237-0465

VIA FACSIMILE and CERTIFIED MAIL

June 18, 1996

(801) 359-3940

James Carter, Director
UTAH DIVISION OF OIL, GAS & MINING
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, Utah 84114-5801



RE: NOV 95-39-2-2, WELLINGTON PREPARATION PLANT, PERMIT NO. ACT/007/012, REQUEST FOR EXTENSION OF TIME BEYOND NINETY DAYS

Dear Jim:

On behalf of Nevada Electric Investment Company ("NEICO"), and in accordance with R645-327.100, we once again request an indefinite extension of time to abate NOV 95-39-2-2 ("NOV"). R645-327.100 allows an indefinite extension where the permittee has applied for approval of designs or plans but approval will not issue within ninety days. NEICO has requested the Mine Safety & Health Administration's ("MSHA's") written approval to allow a slope in excess of 2h:1v at the coarse refuse pile. Unfortunately, due to causes beyond the control of either NEICO or MSHA, the MSHA District Office has yet to even consider NEICO's request.

As you are aware, MSHA review has been delayed by furloughs caused by the failure of Congress to approve the Administration's budget. Enclosed is a plan review status report from MSHA which schedules review of the Wellington Refuse Pile (Log No. 1767) in late summer, 1996. We have confirmed this schedule with Steve Dmytriw, MSHA District Office (303-231-5434). To accommodate MSHA's schedule, NEICO seeks an indefinite extension until MSHA has considered its request for a variance in slope design.

James Carter, Director
June 18, 1996
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We understand that the Division is monitoring this variance request closely. However, MSHA has been on notice that the coarse refuse pile exceeds a 2h:1v for more than twenty years. During this period, slope stability at the Wellington Plant has been maintained. No imminent environmental threat is posed by the refuse pile. We request that the Division grant MSHA a few more months to consider NEICO's variance request.

We would appreciate an opportunity to review this issue with your staff at our meeting scheduled for Friday, June 28, 1996 at 10:30 a.m.

Thank you for your consideration of this matter.

Very truly yours,



Denise A. Dragoo

DAD:jmc:87672

Enclosure

cc: Richard L. Hinckley, Esq.
Dennis Schwehr
Patrick Collins
Lowell Braxton
Joseph Helfrich
Stephen J. Demczak



Mine Waste and Geotechnical Engineering Division - Denver Office
 April, 1996

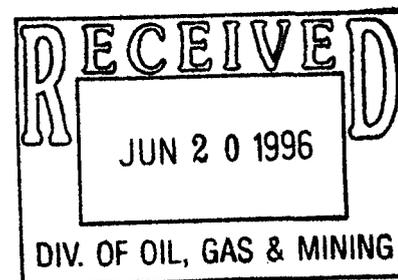
MEMORANDUM FOR MINE WASTE AND GEOTECHNICAL
 ENGINEERING DIVISION PERSONNEL

FROM:

Stephen W. ... for
 HELVIN K. WU

Chief, Mine Waste and Geotechnical
 Engineering Division

SUBJECT: Plan Review Status



The log indicates the following listed plan reviews are not completed as of March 31, 1996. Please let me know if you have any disagreement with the list.

DISTRICT	5	6	7	9	10	11	M/NM	TOTAL
PREVIOUS REPORTING PERIOD								
BACKLOG	0	5	11	14	3	0	0	33
THIS REPORTING PERIOD								
CANCELED	0	0	5	0	0	0	0	5
REVIEWED	0	0	2	0	0	0	0	2
INCOMPLETE	0	5	4	14	3	0	0	26
NEW SUBMITTALS	0	2	2	1	0	0	0	5
TOTAL BACKLOG	0	7	6	15	3	0	0	31

LOG No. 1702 HARMOND BRANCH 1211-KY06-00298-03
NEW PLAN FOR SLURRY DISPOSAL; DOWNSTREAM CONST; MINE UNDER
Date Rcvd: 01/12/95 Addl info: / / / / / /
Plan type: N KENTUCKY MAY COAL COMPANY, INC.
District: 06 Priority: Review Started: 01/25/96
Previous/Current Reviewer: COOPER

LOG No. 1714 KENAMERICAN EMBANKMENT 1211-KY10-00000-00
EXISTING EMBANKMENT IN STRIP PIT; LOCATED ABOVE MINE PORTALS
Date Rcvd: 03/08/95 Addl info: / / / / / /
Plan type: N KENAMERICAN RESOURCES INC.
District: 10 Priority: Review Started: 02/07/96
Previous/Current Reviewer: WILSON

LOG No. 1722 LONG FORK 1211-KY06-00017-01
PROPOSAL TO MINE UNDER SITE
Date Rcvd: 03/21/95 Addl info: / / / / / /
Plan type: M LONG FORK COAL COMPANY
District: 06 Priority: Review Started: 08/23/95
Previous/Current Reviewer: MICHALEK

LOG No. 1723 LONG FORK 1211-KY06-00017-01
STAGES 7 - 14; LIQUEFACTION
Date Rcvd: 04/28/95 Addl info: / / / / / /
Plan type: M LONG FORK COAL COMPANY
District: 06 Priority: Review Started: / /
Previous/Current Reviewer:

LOG No. 1724 OHIO 11 SLURRY 1211-KY10-08021-02
PROPOSED STAGES 3 AND 4
Date Rcvd: 05/03/95 Addl info: 01/17/96 / / / /
Plan type: M ISLAND CREEK COAL COMPANY
District: 10 Priority: Review Started: / /
Previous/Current Reviewer:

LOG No. 1725 GLENHAROLD POND A4 1211-ND09-00042-05
PROPOSED ABANDONMENT PLAN, PLAN CHANGE REQ'D BY DIST JAN 96
Date Rcvd: 05/04/95 Addl info: 01/17/96 / / / /
Plan type: M BASIN COOPERATIVE SERVICES
District: 09 Priority: Review Started: / /
Previous/Current Reviewer:

DENVER MINE WASTE BACKLOG REPORT
REPORT DATE: 04/02/96

LOG No. 1744 DOTSON FORK 1211-KY06-00059-01
MODIFICATIONS TO PHASES 3 AND 4
Date Rcvd: 08/21/95 Addl info: 11/06/95 / / / /
Plan type: M PIKEVILLE COAL COMPANY
District: 06 Priority: Review Started: / /
Previous/Current Reviewer:

LOG No. 1745 SP-11B RESERVOIR 1211-WY09-01353-11
PROPOSED NEW SEDIMENT STRUCTURE
Date Rcvd: 08/25/95 Addl info: / / / / / /
Plan type: N POWDER RIVER COAL COMPANY
District: 09 Priority: Review Started: 03/26/96
Previous/Current Reviewer: DMYTRIW

LOG No. 1746 JEWETT NO. 12 1211-TX09-03164-12
PROPOSAL TO ABANDON AS LIVE DAM
Date Rcvd: 08/28/95 Addl info: / / / / / /
Plan type: M NORTHWESTERN RESOURCES CO.
District: 09 Priority: Review Started: / /
Previous/Current Reviewer:

LOG No. 1747 JEWETT NO. 13 1211-TX09-03164-13
PROPOSAL TO ABANDON AS LIVE DAM
Date Rcvd: 08/28/95 Addl info: / / / / / /
Plan type: M NORTHWESTERN RESOURCES CO.
District: 09 Priority: Review Started: / /
Previous/Current Reviewer:

LOG No. 1749 POUNDING MILL BRANCH SLURRY DAM 1211-KY07-07093-09
NEW SLURRY DAM, ADDITIONAL INFO 2/20/96 FOR STAGES 3-5
Date Rcvd: 09/05/95 Addl info: 02/20/96 / / / /
Plan type: N APOGEE COAL COMPANY
District: 07 Priority: Review Started: / /
Previous/Current Reviewer:

LOG No. 1758 JEWETT NO. 27 1211-TX09-03164-27
Date Rcvd: 11/02/95 Addl info: / / / / / /
Plan type: N NORTHWESTERN RESOURCES CO.
District: 09 Priority: Review Started: / /
Previous/Current Reviewer:

LOG No. 1761 BENNETTS BRANCH 1211-KY07-07042-02
NEW STABILITY ANALYSIS, PARTIAL REPSONE TO W3582 & W1649
Date Rcvd: 12/06/95 Addl info: / / / / / /
Plan type: R GATLIFF COAL COMPANY
District: 07 Priority: Review Started: / /
Previous/Current Reviewer:

LOG No. 1764 BEARTREE 1211-KY07-07021-04
RESPONSE TO W3611 DATED 7/11/94, LOG NO. 1661
Date Rcvd: 12/08/95 Addl info: / / / / / /
Plan type: R R.B. COAL COMPANY
District: 07 Priority: Review Started: / /
Previous/Current Reviewer:

LOG No. 1765 FREEDOM P-D15-03 1211-ND09-
RECEIVED DIRECTLY FROM COMPANY 12-13-95
Date Rcvd: 12/18/95 Addl info: / / / / / /
Plan type: N COTEAU PROPERTIES
District: 09 Priority: Review Started: / /
Previous/Current Reviewer:

LOG No. 1767 WELLINGTON REFUSE FILE 1211-UT09-00099-01
LITIGATION (VAN COTT, BAGLEY ET AL) - VARIANCE ON SLOPES
Date Rcvd: 01/17/96 Addl info: 02/02/96 / / / /
Plan type: N NEVADA ELECTRIC INVESTMENT COMPANY
District: 09 Priority: Review Started: / /
Previous/Current Reviewer:

LOG No. 1768 HENDERSON MINE SLURRY IMPOUNDMENT #10 1211-KY10-08050-01
Date Rcvd: 01/17/96 Addl info: / / / / / /
Plan type: N GREEN COAL COMPANY, INC.
District: 10 Priority: Review Started: / /
Previous/Current Reviewer:

LOG No. 1770 COTTONWOOD RESERVOIR 1211-WY09-00993-05
COAL FENDER MOVED AWAY FROM DAM TOE INTO OPEN PIT
Date Rcvd: 01/23/96 Addl info: / / / / / /
Plan type: M POWDER RIVER COAL COMPANY
District: 09 Priority: Review Started: / /
Previous/Current Reviewer:

LOG No. 1771 CENTRALIA 6A 1211-WA09-00416-6A
Date Rcvd: 02/05/96 Addl info: / / / / / /
Plan type: M CENTRALIA MINING COMPANY
District: 09 Priority: Review Started: / /
Previous/Current Reviewer:

LOG No. 1772 CENTRALIA 6B 1211-WA09-00416-6B
Date Rcvd: 02/05/96 Addl info: / / / / / /
Plan type: M CENTRALIA MINING COMPANY
District: 09 Priority: Review Started: / /
Previous/Current Reviewer:

LOG No. 1773 LITTLE CAMP SLURRY 1211-KY07-07066-02
RESPONSE TO DSHTC REPS DATED 12-9-93 & 5-25-95
Date Rcvd: 02/05/96 Addl info: / / / / / /
Plan type: R CROCKETT COLLIERIES (KY), INC.
District: 07 Priority: Review Started: / /
Previous/Current Reviewer:

LOG No. 1774 SCOTTS BRANCH REFUSE DISPOSAL FACILITY 1211-KY06-00142-01
CHANGED FROM FRESHWATER TO SLURRY PREVIOUSLY; NO RECORD
Date Rcvd: 02/05/96 Addl info: / / / / / /
Plan type: M MC MINING COMPANY
District: 06 Priority: Review Started: / /
Previous/Current Reviewer:

LOG No. 1775 OXBOW LIGNITE - SED POND 97-E5 1211-LA09-01164-02
Date Rcvd: 02/09/96 Addl info: / / / / / /
Plan type: RED RIVER MINING COMPANY
District: 09 Priority: Review Started: / /
Previous/Current Reviewer:

LOG No. 1776 YORK CANYON NO. 3 1211-NM09-00095-03
Date Rcvd: 02/15/96 Addl info: / / / / / /
Plan type: M PITTSBURG & MIDWAY COAL MINING CO.
District: 09 Priority: Review Started: / /
Previous/Current Reviewer:

DENVER MINE WASTE BACKLOG REPORT
REPORT DATE: 04/02/96

LOG No. 1777 MONTICELLO SEDIMENTATION POND F-2 1211-TX09-03658-01
TOWN OF WINFIELD NO LONGER EXISTS
Date Rcvd: 02/28/96 Addl info: / / / / / /
Plan type: M TEXAS UTILITIES MINING COMPANY (TUMCO)
District: 09 Priority: Review Started: / /
Previous/Current Reviewer:

LOG No. 1778 MONTICELLO SEDIMENTATION POND G-11 1211-TX09-03658-03
Date Rcvd: 02/28/96 Addl info: / / / / / /
Plan type: N TEXAS UTILITIES MINING COMPANY (TUMCO)
District: 09 Priority: Review Started: / /
Previous/Current Reviewer:

LOG No. 1779 CALVERT SEDIMENTATION POND SPC-31 1211-TX09-03428-31
Date Rcvd: 03/06/96 Addl info: / / / / / /
Plan type: N WALNUT CREEK MINING COMPANY
District: 09 Priority: Review Started: / /
Previous/Current Reviewer:

LOG No. 1780 BUCKEYE CREEK DAM 1211-KY07-07094-01
MINING UNDER RESERVOIR; APPROVED BY DISTRICT 3-4-96
Date Rcvd: 03/14/96 Addl info: 11/02/95 11/13/95 / /
Plan type: LEECO, INC.
District: 07 Priority: Review Started: / /
Previous/Current Reviewer:

LOG No. 1781 RAZORBLADE 1211-KY06-00110-01
STAGE III RAISE AND DECANT MONITORING PROGRAM
Date Rcvd: 03/22/96 Addl info: / / / / / /
Plan type: R CONSOL OF KENTUCKY
District: 06 Priority: Review Started: / /
Previous/Current Reviewer:

LOG No. 1783 BEECH GROVE NO. 3 1211-TN07-01035-03
RESPONSE TO MW&CD REP D8254-W3690 JUNE 2, 1995
Date Rcvd: 03/25/96 Addl info: / / / / / /
Plan type: R BEECH GROVE PROCESSING COMPANY
District: 07 Priority: Review Started: / /
Previous/Current Reviewer:
