

0045

LAW OFFICES OF
VAN COTT, BAGLEY, CORNWALL & MCCARTHY
A PROFESSIONAL CORPORATION
SUITE 1600
50 SOUTH MAIN STREET
SALT LAKE CITY, UTAH 84144
TELEPHONE (801) 532-3333
FACSIMILE (801) 534-0058
TELEX 453149
ADDRESS ALL CORRESPONDENCE TO
POST OFFICE BOX 45340
84145-0450

DENISE A. DRAGOO

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: PERMIT NO. ACT/007/012, DIVISION ORDER #96A,
REQUEST FOR EXTENSION OF TIME OR, IN THE
ALTERNATIVE, INFORMAL CONFERENCE*

Dear Jim:

On behalf of Nevada Electric Investment Company ("NEICO"), we request an extension of time to address the Order and Findings of Permit Deficiency, Division Order #96A, dated May 30, 1996 ("Division Order"). NEICO disputes the authority of the Utah Division of Oil, Gas & Mining ("Division") to require initiation of reclamation activities at the Wellington Preparation Plant as set forth in the Division Order. As you are aware, the Wellington Preparation Plant is being actively marketed and continues to retain value due to a significant stock pile of coal fines.

NEICO has requested an opportunity to review this matter with the Division on June 28, 1996. We request that the period for review of this Order be extended by an additional thirty days to accommodate this meeting.

James Carter, Director
June 18, 1996
Page 2

In the alternative, if an extension is not granted, NEICO requests an opportunity to review this matter before you at an informal conference.

Very truly yours,

A handwritten signature in black ink, appearing to read "Denise A. Drago", with a long horizontal line extending to the right.

Denise A. Drago

DAD:jmc:87672

cc: Richard L. Hinckley, Esq.
Dennis Schwehr
Patrick Collins
Lowell Braxton
Thomas Mitchell, Esq.

APPLICATION FOR PERMIT CHANGE

Title of Change:

WELLINGTON PREPARATION PLANT
ASBESTOS REMOVAL COSTS

Permit Number: ACT / 007 / 012

Mine: Wellington Prep. Plant

Permittee: NEICO

Description, include reason for change and timing required to implement:

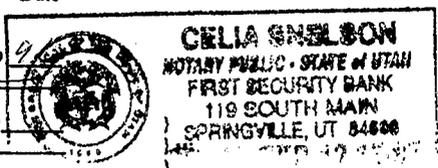
- | | | |
|---|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 1. Change in the size of the Permit Area? _____ acres <input type="checkbox"/> increase <input type="checkbox"/> decrease. |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 2. Change in the size of the Disturbed Area? _____ acres <input type="checkbox"/> increase <input type="checkbox"/> decrease. |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 3. Will permit change include operations outside the Cumulative Hydrologic Impact Area? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 4. Will permit change include operations in hydrologic basins other than currently approved? |
| <input checked="" type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 5. Does permit change result from cancellation, reduction or increase of insurance or reclamation bond? <i>(possible)</i> |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 6. Does permit change require or include public notice publication? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 7. Permit change as a result of a Violation? Violation # |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 8. Permit change as a result of a Division Order? D.O.# |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 9. Permit change as a result of other laws or regulations? Explain: |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 10. Does permit change require or include ownership, control, right-of-entry, or compliance information? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 11. Does the permit change affect the surface landowner or change the post mining land use? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 12. Does permit change require or include collection and reporting of any baseline information? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 13. Could the permit change have any effect on wildlife or vegetation outside the current disturbed area? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 14. Does permit change require or include soil removal, storage or placement? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 15. Does permit change require or include vegetation monitoring, removal or revegetation activities? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 16. Does permit change require or include construction, modification, or removal of surface facilities? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 17. Does permit change require or include water monitoring, sediment or drainage control measures? |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 18. Does permit change require or include certified designs, maps, or calculations? <i>calculations by cert. entity</i> |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 19. Does permit change require or include underground design or mine sequence and timing? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 20. Does permit change require or include subsidence control or monitoring? |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 21. Have reclamation costs for bonding been provided or revised for any change in the reclamation plan? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 22. Is permit change within 100 feet of a public road or perennial stream or 500 feet of an occupied dwelling? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 23. Is this permit change coal exploration activity <input type="checkbox"/> inside <input type="checkbox"/> outside of the permit area? |

Attach 3 complete copies of proposed permit change as it would be incorporated into the Mining and Reclamation Plan.

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

Patrick D. Collins Resident Agent 5/13/96
Signed - Name - Position - Date

Subscribed and sworn to before me this 13 day of May, 1996
Celia Gmelson
Notary Public



My Commission Expires: _____, 19____
Attest: *Utah*
STATE OF _____
COUNTY OF *Utah*

Received by Oil, Gas & Mining

ASSIGNED PERMIT CHANGE NUMBER