0054

MT NEBO SCIENTIFIC, INC.
research & consulting

Fax to Lowell,
Copy Joe,
File #5
NOV file
ACT/007/012

FAX MEMORANDUM

TO: Steve Demczak,
Field Office, Division of Oil, Gas & Mining, Price UT

FROM: Patrick Collins

DATE: April 25, 1996

SUBJECT: MSHA update of CR Pile at Wellington
NOV 95-39-2-2

PAGES (including title page): 4

COPY TO: Dennis Schwehr (NEICO)
Denise Dragoo (VanCott)
Lowell Braxton (DOGM) ✓

Enclosed is the a letter that is an update from MSHA concerning their review of the Coarse Refuse Pile at Wellington. Please call if you have further questions.

330 East 400 South, Ste. 6, P.O. Box 337, Springville, Utah 84663
(801) 489-6937, (fax) 489-6779

UTAH NATURAL RESOURCES
Oil, Gas & Mining
3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340

MODIFICATION OF NOTICE OF VIOLATION/CESSATION ORDER

To the following Permittee or Operator:

Name Nevada Electric Investment Company (NEICO) - Wellington Prep Plant

Mailing Address c/o Mt. Nebo Scientific, PO Box 337, Springville, UT 84663

State Permit No. ACT/007/012

Utah Coal Mining & Reclamation Act, Section 40-10-1 et seq., *Utah Code Annotated* (1953):

Notice of Violation No. N 95-39-2-2 dated April 6, 1995, 19 ____.

Cessation Order No. C ____ dated ____, 19 ____.

Part 1 of 2 is modified as follows: to be extended until April 26, 1996.

Reason for modification is MSHA review.

Part 2 of 2 is modified as follows: to be extended until April 26, 1996.

Reason for modification is MSHA review.

Part ____ of ____ is modified as follows: ____

Date of service/mailing April 22, 1996 Time of service/mailing 12:00 ☐ a.m. ☒ p.m.

Date of inspection April 5, 1995

Patrick Collins
Permittee/Operator representative

Permittee (Agent)
Title

Mailed from DOGM Price Office
Signature

Stephen J. Demczak
Division of Oil, Gas & Mining

Reclamation Specialist
Title

Stephen J Demczak
Signature

WHITE—DOGM YELLOW—OSM PINK—PERMITTEE/OPERATOR GOLDENROD—NOV FILE

DOGM/MVC-1 an equal opportunity employer Rev. 12/86 001059

U.S. Department of Labor

Mine Safety and Health Administration
Pittsburgh Safety & Health Technology Center
P.O. Box 18233
Pittsburgh, PA 15236

April 19, 1996

(Rec'd 4/28/96)

Patrick D. Collins, Ph.D.
Resident Agent/Environmental Consultant
MT NEBO SCIENTIFIC, INC.
330 East 400 South, Suite 6
P.O. Box 337
Springville, Utah 84663

Dear Mr. Collins:

Regarding our telephone conversation of April 19, 1996, I regret to inform you the Wellington Refuse Pile design submittal will not be reviewed until sometime this summer. The Mine Waste and Geotechnical Division - Denver Office's (MWGED - DO) April 1, 1996, monthly backlog report shows there are 31 design submittals (mostly dam designs) in the system. Further examination of the backlog report shows the Wellington Refuse Pile is seeded sixteenth. The report does not show, however, that there are only three engineers currently on staff in the Denver Office to evaluate these plans and that several of the design submittals are quite complicated and will take an extended period to review.

Although the MWGED - DO scope of responsibility regarding mine waste problems has diminished over the past year, the geographic area is still formidable. Currently the Denver Office is charged with evaluating dam designs, or an occasional refuse pile, and issuing a technical report pertaining to the integrity of the structure. An evaluation normally includes, but is not limited, to the examination of design drawings, engineering documentation, subsurface information, laboratory data, and specifications. Some of the more sophisticated analysis include subsidence and liquefaction studies. The geographic area consist of MSHA Coal Mine Safety and Health enforcement Districts 6, 7, 9, and 10. Districts 6, 7, and 10 include all of Kentucky and most of Tennessee whereas District 9 is essentially all coal mine properties west of the Mississippi River.

Regarding your situation, I can happily report that District 7 is currently being transferred to the Pittsburgh Office and that three of the backlog plans are being evaluated. As such, the Wellington plan is only ten slots away from reaching an engineers desk. I have included the April 1996 backlog report for your information.

Please call or write if you have any additional questions regarding this matter.

Cordially yours,

Stephen W. Dmytriw, P.E.
Civil Engineer

enclosures:

cc: K. Wu
K. Howard