



NO. N 96-41-2-1

To the following Permittee or Operator:

Name NEVADA ELECTRIC INVESTMENT COMPANY

Mine WELLINGTON PREP PLANT  Surface  Underground  Other

County CARBON State UTAH Telephone 801-489-6937

Mailing Address C/O MT. NEBON SCIENTIFIC, BOX 337, SPRINGVILLE UT 84663

State Permit No. ACT/007/012

Ownership Category  State  Federal  Fee  Mixed

Date of inspection NOVEMBER 14 & 22, 19 96

Time of inspection 9:00 & 10:00  a.m.  p.m. to 1:00 & 1:00  a.m.  p.m.

Operator Name (other than Permittee) \_\_\_\_\_

Mailing Address \_\_\_\_\_

notice of violation

Under authority of the Utah Coal Mining and Reclamation Act, Section 40-10-1 et seq., *Utah Code Annotated*, 1953, the undersigned authorized representative of the Division of Oil, Gas & Mining has conducted an inspection of above mine on above date and has found violation(s) of the act, regulations or required permit condition(s) listed in attachment(s). This notice constitutes a separate Notice of Violation for each violation listed.

You must abate each of these violations within the designated abatement time. You are responsible for doing all work in a safe and workmanlike manner.

The undersigned representative finds that **cessation of mining** is  is not  expressly or in practical effect required by this notice. For this purpose, "mining" means extracting coal from the earth or a waste pile, and transporting it within or from the mine site.

This notice shall remain in effect until it expires as provided on reverse side of this form, or is modified, terminated or vacated by written notice of an authorized representative of the director of the Division of Oil, Gas & Mining. Time for abatement may be extended by authorized representative for good cause, if a request is made within a reasonable time before the end of abatement period.

CERTIFIED RETURN P 074 977 701

Date of service/mailing XXXXX DEC 3, 1996

Time of service/mailing XXXXX 2:00  a.m.  p.m.

PATRICK COLLINS  
Permittee/Operator representative

RESIDENT AGENT  
Title

MATTED FROM SLC OFFICE  
Signature

PAUL BAKER  
Division of Oil, Gas & Mining representative

RECLAMATION BIOLOGIST  
Title

[Signature]  
Signature

#41  
Identification Number

SEE REVERSE SIDE

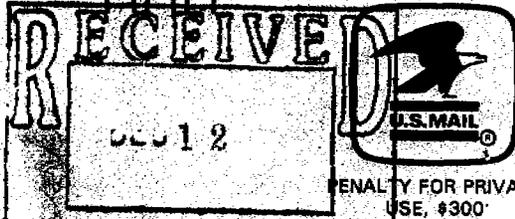
WHITE-DOGM YELLOW-OPERATOR PINK-OSM GOLDENROD-NOV FILE

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

**SENDER INSTRUCTIONS**

- Print your name, address and ZIP Code in the space below.
- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



PENALTY FOR PRIVATE USE, \$300

DIV. OF OIL, GAS & MINING

Print Sender's name, address, and ZIP Code in the space below.

**DIVISION OF**

**OIL GAS & MINING**

**1594 W NORTH TEMPLE STE 1210**

**BOX 145801**

**SALT LAKE CITY UT 84114-5801**



RETURN TO →

**SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1.  Show to whom delivered, date, and addressee's address. 2.  Restricted Delivery (Extra charge)

3. Article Addressed to:  
**PATRICK COLLINS**  
**NEICO**  
**MT NEBO SCIENTIFIC**  
**PO BOX 337**  
**SPRINGVILLE UT 84663**

4. Article Number  
**P 074 977 701**

Type of Service:  
 Registered  Insured  
 Certified  COD  Return Receipt for Merchandise  
 Express Mail

Always obtain signature of addressee or agent and **DATE DELIVERED**.

5. Signature - Addressee  
 X *Patrick Collins*

6. Signature - Agent  
 X

7. Date  
 X

8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811-100 (1-85) RECEIPT

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (See front)

- If you want this receipt postmarked, stick the gummed stub in the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier (no extra charge)
- If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.
- If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article RETURN RECEIPT REQUESTED adjacent to the number.
- If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse RESTRICTED DELIVERY on the front of the article.
- Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 5 of Form 3811.
- Save this receipt and present it if you make inquiry.

U.S.G.P.O. 1989-217-102

BB DOGM ACT/007/012 FLD 5 12/3/96 N96-41-2-1

P 074 977 701

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED  
NOT FOR INTERNATIONAL MAIL

*Patrick Collins*  
PATRICK COLLINS  
NEICO

PO BOX 337  
SPRINGVILLE UT 84663  
P.O., State and ZIP Code

Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing Date and Address to whom Delivered	
TOTAL Postage and Fees	\$ 2.52
Postmark Date	DEC 12 1996



Fold at line



**NOTICE OF VIOLATION NO. N 96-41-2-1**

Violation No. 1 of 1

Nature of violation

**FAILURE TO LOCATE, CONSTRUCT AND MAINTAIN A SEDIMENT CONTROL STRUCTURE IN ACCORDANCE WITH THE APPROVED PLANS AND DESIGNS.**

Provisions of act, regulations or permit violated

**R645-301-752**

Portion of operation to which notice applies

**DRYER POND EMERGENCY SPILLWAY AND SOUTHEAST EMBANKEMENT**

Remedial action required (Including any interim steps)

- 1. SUBMIT DESIGNS FOR THE DRYER POND WITH AN EMERGENCY SPILLWAY DESIGNED ACCORDING TO THE R645 REGULATIONS.**
- 2. CERTIFY ALL DESIGNS FOR THE DRYER POND IN ACCORDANCE WITH R645-301-743.130**
- 3. IMPLEMENT THE DESIGN**

Abatement time (including interim steps) **(NUMBERED ACCORDING TO REMEDIAL ACTIONS)**

- 1. JANUARY 6, 1997**
- 2. JANUARY 6, 1997**
- 3. FEBRUARY 6, 1997**

**PFSC BA**