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August 11, 1997

Mr. Daron Haddock
Permit Supervisor
Division of Oil, Gas and Mining
P.O. Box 145801
Salt Lake City, UT 84114-5801

Re: Soils Plans and Commitments for the Minor Amendment for the Wellington Modular Coal Fines Wash Plant, ACT/007/012-97D, Folder 2

Dear Daron:

This morning Robert Davidson and I were discussing the amendment information submitted earlier today regarding soils at the modular coal fines wash plant site. He noted that the "Site Grading, Facilities and Runoff Control" figure contained two areas (approximately 40' x 40') below the column flotation cells that must be also stripped of topsoil prior to construction. His concern is one of characterization and salvage informational needs.

Steve Brown, Covol Technologies, Inc., has assured me that Covol will commit to do the following in order to expedite the approval process:

Dig soil pits - Tomorrow Joe Jarvis, JBR, is scheduled to dig at least two test soil pits similar to the four dug previously. They will be strategically located as close as possible to the two areas for which additional information is needed.

Characterization - By Wednesday, August 13, Joe Jarvis will forward the soil survey characterization results to you.

Sampling - Joe will sample each pit and send them out for analysis this week.

Salvage - Topsoil salvage of these two areas will be performed as previously described. In addition, an unbiased third party will supervise the salvage operation of these and all areas when the construction begins.

Map work - The delineation between the coarse refuse and the Gerst soil should be shown and the map legend made more clear. This will be done and submitted as part of the mining amendment.

Daron, as I have mentioned, we are very grateful for the efforts of you and your staff. Hopefully this additional information will meet your needs and allow your office to move forward on the approval of this amendment.

Very truly yours,

Tim Thompson, P.E.
Project Engineer

cc: Patrick Collins, Mt. Nebo Scientific
Harlan Hatfield, Covol Technologies, Inc.
D. Schwehr, NEICO
J. Slusser, Earthco