0031

State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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TO: File

THRU: Daron Haddock, Permit Supervisor

FROM: Paul Baker, Reclamation Biologist

RE: Refuse Basin Mining Operation Plan, Nevada Electric Investment Company, Wellington Preparation Plant, ACT/007/012-97H, Folder #2, Carbon County, Utah

SUMMARY:

On September 10, 1997, the Division received an operation plan for the modular coal preparation plant at the Wellington Preparation Plant. It is not anticipated the operation plan will negatively affect biological resources, and no changes to those portions of the operation and reclamation were made or are required. The permittee previously received approval to construct the preparation plant, and the current amendment proposal is for operations. A reclamation plan will need to be submitted later.

TECHNICAL ANALYSIS:

OPERATION PLAN

AIR QUALITY

Regulatory Reference: R645-301-420

Analysis:

The application includes a copy of an Intent to Approve from the Division of Air Quality dated September 15, 1997. There is a thirty-day public comment period associated with the Intent to Approve.

The applicant has fulfilled the requirement to show the coordination efforts made with the Division of Air Quality, so the Division can approve this part of the application. However, since operations must be conducted in compliance with the Clean Air Act, the applicant may not operate the facility until it has obtained approval from Air Quality.

Findings:

Information provided in the proposal is considered adequate to meet the requirements of this section of the regulations. However, the facility must be operated in compliance with the Clean Air Act, so the applicant needs to first receive an Approval Order from the Division of Air Quality.

RECOMMENDATIONS:

The applicant has complied with the requirement to show its coordination efforts with the Division of Air Quality, but the modular preparation plant may not be operated until Air Quality issues its approval order.

The Division still needs to receive a reclamation plan. It may be necessary to modify the operation plan if it affects the reclamation plan in a way counter to the rules.