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State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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Governor
Ted Stewart
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INSPECTION REPORT

JK for Joe Helfrich

801-538-5340 (Fax)

801-538-7223 (TDD)

Partial: X Complete: Exploration:

Inspection Date & Time: October 17 & 23, 1997, 10:10 AM and 1:50 PM to 12:45 and 2:10 PM

Date of Last Inspection: September 8, 1997

Mine Name: Wellington Preparation Plant County: Carbon Permit Number: ACT/007/012

Permittee and/or Operator's Name: Nevada Electric Investment Company (NEICO)

Business Address: c/o Earthco, 1179 East Main #104, Price, Utah 84501

Type of Mining Activity: Underground Surface Prep. Plant X Other

State Official(s): Paul Baker

Company Official(s): Steve Traweek

Federal Official(s): None

Weather Conditions: 60's and clear on 10/17, 30's and cloudy on 10/23

Existing Acreage: Permitted- 1720 Disturbed- 356 Regraded- 1.5 Seeded- 1.5 Bonded- 177

Increased/Decreased: Permitted- 0 Disturbed- 0 Regraded- 0 Seeded- 0 Bonded- 0

Status: Exploration/ X Active/ Inactive/ Temporary Cessation/ Bond Forfeiture

Reclamation (Phase I/ Phase II/ Final Bond Release/ Liability Year)

REVIEW OF PERMIT, PERFORMANCE STANDARDS & PERMIT CONDITION REQUIREMENTS

Instructions

- Substantiate the elements on this inspection by checking the appropriate performance standard.
 - For complete inspections provide narrative justification for any elements not fully inspected unless element is not appropriate to the site, in which case check N/A.
 - For partial inspections check only the elements evaluated.
- Document any noncompliance situation by referencing the NOV issued at the appropriate performance standard listed below.
- Reference any narratives written in conjunction with this inspection at the appropriate performance standard listed below.
- Provide a brief status report for all pending enforcement actions, permit conditions, Division Orders, and amendments.

	EVALUATED	N/A	COMMENTS	NOV/ENE
1. PERMITS, CHANGE, TRANSFER, RENEWAL, SALE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. SIGNS AND MARKERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. TOPSOIL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
4. HYDROLOGIC BALANCE:				
a. DIVERSIONS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. SEDIMENT PONDS AND IMPOUNDMENTS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. OTHER SEDIMENT CONTROL MEASURES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. WATER MONITORING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. EFFLUENT LIMITATIONS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. EXPLOSIVES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. DISPOSAL OF EXCESS SPOIL/FILLS/BENCHES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. COAL MINE WASTE/REFUSE PILES/IMPOUNDMENTS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. NONCOAL WASTE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. PROTECTION OF FISH, WILDLIFE AND RELATED ENVIRONMENTAL VALUES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. SLIDES AND OTHER DAMAGE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. CONTEMPORANEOUS RECLAMATION	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. BACKFILLING AND GRADING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. REVEGETATION	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
14. SUBSIDENCE CONTROL	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. CESSATION OF OPERATIONS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. ROADS:				
a. CONSTRUCTION/MAINTENANCE/SURFACING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. DRAINAGE CONTROLS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. OTHER TRANSPORTATION FACILITIES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. SUPPORT FACILITIES/UTILITY INSTALLATIONS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. AVS CHECK (4th Quarter-April, May, June)_(date)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. AIR QUALITY PERMIT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. BONDING & INSURANCE	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

INSPECTION REPORT

(Continuation sheet)

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PERMIT NUMBER: ACT/007/004

DATE OF INSPECTION: October 17 and 23, 1997

(Comments are Numbered to Correspond with Topics Listed Above)

1. Permits, Change, Transfer, Renewal, Sale

NEICO submitted a response to the Division's December 23, 1996, technical analysis on July 3, 1997. The technical analysis and the response are the subject of violation N97-41-4-1. Since July, it has been understood there are certain deficiencies to which the permittee did not respond, and the Division and permittee have been working to resolve them. However, the Division decided to issue a formal response to the July submittal and did so on October 3, 1997.

The Division conducted an assessment conference for violation N97-41-4-1 on October 8, 1997. Since the violation has not yet been abated, it was impossible for the assessment officer to conclude the conference, so it was continued until November 8, 1997. Also, the abatement date for the violation was extended to November 8, 1997.

On October 9, 1997, the Division approved additional information concerning the dryer pond. This was part of the plans submitted in response to violation N96-41-2-1.

Amendment 97G was approved with stipulations on October 9, 1997.

On October 14, 1997, the Division received further information concerning the postmining land use change. Also received on October 14, 1997, was a bond release application.

2. Signs and Markers

Some of the entrance signs on the east side of the Price River have been damaged and need to be replaced. This needs to be done before the next inspection.

3. Topsoil

Stipulations on the approval of amendment 97G required the permittee/operator to dig at least one more soil test pit in the area of the slurry feed tank, forward soil characterization results to the Division prior to disturbance and soil salvage, analyze this soil and provide results to update the plan, salvage all Gerst Soil in this area, and have a third party soils person direct soil salvage operations. It appears the only stipulation to which the permittee/operator adhered was to dig a soil test pit and to characterize the soil. No soil was salvaged and put in the soil stockpile on the east side of the river. From what I have seen and discussed with the company doing the construction, the soil was either pushed to the side or left in place and covered with other fill or the pad.

Violation N97-41-5-1 is being issued for failing to characterize and salvage the soil and for failing to adhere to the requirements of the stipulations. The amount of soil available to be salvaged was about 25 yd³.

4. Hydrologic Balance

a. Diversions

The operator has done some maintenance work in diversion UD-1. There are several small drainages from undisturbed areas that empty into this ditch, and the operator put gravel in some of them to, hopefully, slow down erosion near UD-1. The operator also did some work on the ditch where it approaches the railroad tracks and the Price River.

c. Other Sediment Control Measures

Some minor maintenance work needs to be done on silt fences in the ditch on the east side of the coarse refuse pile.

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PERMIT NUMBER: ACT/007/004

DATE OF INSPECTION: October 17 and 23, 1997

There is a silt fence near where the Siaperas ditch goes into a culvert under the county road. This silt fence needs to be maintained.

7. Coal Mine Waste/Refuse Piles/Impoundments

In apparent preparation for reconstructing a dike on the northwest side of the slurry ponds, Covol has begun taking out fines from the ponds and stockpiling them near the preparation plant under construction.

13. Revegetation

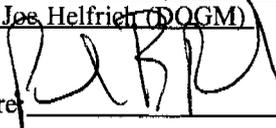
In the area where UD-1 gets close to the railroad tracks, there is an area that needs to be seeded with an interim revegetation mixture. For interim revegetation, the operation and reclamation plan refers to the final reclamation plan. In the final reclamation plan, the appropriate seed mix would be "B" shown on page 51 of Section 3.41. This mix is more diverse than is needed for interim revegetation, and the permittee could amend the plan to show a separate mixture to be used for interim.

Copy of this Report:

Mailed to: James Fulton (OSM), Patrick Collins (NEICO/Mt. Nebo Scientific), Steve Traweek (Earthco)

Given to: Joe Helfrich (DOGM)

Inspector's Signature



Paul B. Baker #41

Date: October 27, 1997