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State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

James W. Carter
Division Director

1594 West North Temple, Suite 1210

Box 145801

Salt Lake City, Utah 84114-5801

801-538-5340

801-359-3940 (Fax)

801-538-7223 (TDD)

INSPECTION REPORT

Partial: Complete: Exploration:

Inspection Date & Time: September 8, 1997, 11:45 AM to 4:30 PM

Date of Last Inspection: August 22, 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 Other

State Official(s): Paul Baker

Company Official(s): Patrick Collins and Steve Traweck

Federal Official(s): None

Weather Conditions: Partly Cloudy, 80's

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/ 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.

	<u>EVALUATED</u>	<u>N/A</u>	<u>COMMENTS</u>	<u>NOV/ENF</u>
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 type="checkbox"/>
4. HYDROLOGIC BALANCE:				
a. DIVERSIONS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>
d. WATER MONITORING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. EFFLUENT LIMITATIONS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. EXPLOSIVES	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. DISPOSAL OF EXCESS SPOIL/FILLS/BENCHES	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. COAL MINE WASTE/REFUSE PILES/IMPOUNDMENTS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. NONCOAL WASTE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. PROTECTION OF FISH, WILDLIFE AND RELATED ENVIRONMENTAL VALUES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. SLIDES AND OTHER DAMAGE	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. CONTEMPORANEOUS RECLAMATION	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. BACKFILLING AND GRADING	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. REVEGETATION	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. SUBSIDENCE CONTROL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. CESSATION OF OPERATIONS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. ROADS:				
a. CONSTRUCTION/MAINTENANCE/SURFACING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. DRAINAGE CONTROLS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. OTHER TRANSPORTATION FACILITIES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. SUPPORT FACILITIES/UTILITY INSTALLATIONS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. BONDING & INSURANCE	<input checked="" 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: September 8, 1997

(Comments are Numbered to Correspond with Topics Listed Above)

1. Permits, Change, Transfer, Renewal, Sale

Earthco is continuing to work to address issues in the December 23, 1996, technical analysis. This was also the subject of violation N97-41-4-1. On September 23, 1997, the violation abatement date was extended to October 22, 1997. The main issues remaining concern the soil borrow area.

On September 2, 1997, the Division received a proposal to change the postmining land use for part of the disturbed area from undeveloped land to industrial. The first newspaper advertisement for this significant revision was in the *Price Sun Advocate* September 2, 1997. The Division has now reviewed the proposal, and an analysis showing deficiencies was sent September 22, 1997.

Also appearing in the September 2, 1997, newspaper was an advertisement for final bond release for certain areas of the preparation plant (the same as those where the land use is proposed to be changed). The Division has not yet received a formal submittal of an application for bond release.

A revised construction plan for the modular preparation plant was received September 9, 1997. The Division received an operation plan for the preparation plant on September 10, 1997. These amendments are 97G and 97H, respectively.

2. Signs and Markers

The sign at the plant refuse pile has the wrong MSHA number. This needs to be corrected.

3. Topsoil

About sixty cubic yards of topsoil was salvaged from the area where the modular preparation plant is being built. This soil was placed next to, but not on, the one topsoil pile on the east side of the river. This material needs to be protected in some way. I suggest placing it on the adjacent topsoil stockpile, building a berm around it, or putting a silt fence around it. In addition, this newly-salvaged soil should be seeded this fall.

Topsoil was not salvaged from the hill below where the column flotation cells are being placed. The Division had agreed to allow a third-party consultant to supervise topsoil salvage and to judge how much soil should be taken from specific areas. The consultant determined the hill had too little soil to salvage; however, for the entire operation, more soil was taken than anticipated.

There is a small hole in the berm next to the road pond that needs to be repaired.

4. Hydrologic Balance

d. Water Monitoring

Third quarter water monitoring information is not yet available. Second quarter water monitoring information appears to be complete. There were some problems with field pH and EC measurements. They differed substantially from what was found in the lab reports, and the data sheet had a note that the person taking the readings was having problems with the meter. Although the regulations require the equipment to be properly maintained and calibrated, I appreciated the person taking the samples making these notes rather than making up numbers.

The samples were taken May 14, 1997, and the laboratory received them May 19, 1997. With this fairly short time between sampling and the lab receiving the samples, the lab results should be very close to what should have been found in the field. Therefore, the Division has the needed monitoring information.

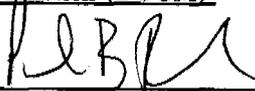
18. Support Facilities/Utility Installations

Construction is well under way on the modular preparation plant.

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: September 26, 1997