



NO. N 97-41-4-1

To the following Permittee or Operator:

Name NEVADA ELECTRIC INVESTMENT COMPANY

Mine WELLINGTON PREPARATION PLANT Surface Underground Other

County CARBON State UTAH Telephone 801-489-6937

Mailing Address PO BOX 337 SPRINGVILLE UT 84663

State Permit No. ACT/007/012

Ownership Category State Federal Fee Mixed

Date of inspection JUNE 16, 1997, 19

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

Operator Name (other than Permittee) EARTHCO

Mailing Address 4118 N MERIDIAN ST INDIANAPOLIS IN 46208-4015

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.

P 074 977 736

Date of service/ mailing JUNE 24, 1997

Time of service/ mailing 10:00 a.m. p.m.

PATRICK COLLINS

Permittee/Operator representative

RESIDENT AGENT

Title

MAILED FROM SLO

Signature

RECLAMATION BIOLOGIST

Title

PAUL B. BAKER

Division of Oil, Gas & Mining representative

41

Identification Number

Signature

SEE REVERSE SIDE

A-3

WHITE-DOG M YELLOW-OPERATOR PINK-QSM GOLDENROD-NOV FILE



NOTICE OF VIOLATION NO. N 97-41-4-1

Violation No. 1 of 1

Nature of violation

FAILURE TO COMPLY WITH ALL REQUIREMENTS OF THE STATE PROGRAM, SPECIFICALLY, THE UNRESOLVED REQUIREMENTS ENUMERATED IN THE DIVISION'S TECHNICAL ANALYSIS ISSUED DECEMBER 23, 1996.

Provisions of act, regulations or permit violated

R645-300-143 AND THE REGULATIONS CITED IN THE DECEMBER 23, 1996 TECHNICAL ANALYSIS TO WHICH THE PERMITTEE HAS NOT RESPONDED.

Portion of operation to which notice applies

DEFICIENT PORTIONS OF THE OPERATION AND RECLAMATION PLAN.

Remedial action required (including any interim steps)

SUBMIT A COMPLETE APPLICATION FOR PERMIT CHANGE ADEQUATELY ADDRESSING THE UNRESOLVED REQUIREMENTS OF THE DIVISION'S DECEMBER 23, 1996 TECHNICAL ANALYSIS.

Abatement time (including interim steps)

JULY 25, 1997

TT DOGM 6/24/97 ACT/007/012 N-97-41-4-1

Sent to	PATRICK COLLINS	
Street and No.	PO BOX 337	
P.O. State and	SPRINGVILLE UT	
Postage	\$ 84663	
Certified Fee		
Special Delivery Fee		
Restricted Delivery Fee		
Return Receipt showing to whom and Date Delivered		
Return Receipt showing Date and Address	SALT LAKE CITY UT	
TOTAL Postage and Fees		
Postmark or Date	JUN 24 1997	



PS Form 3800, June 1985

RECEIPT FOR CERTIFIED MAIL
NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

P 074 977 736

<p>PS Form 3800, June 1985</p>	
<p>5. Signature - Address <i>Patrick Collins</i> PATRICK COLLINS PO BOX 337 SPRINGVILLE UT 84663</p>	
<p>6. Signature - Agent <i>Patrick Collins</i></p>	
<p>7. Date JUN 24 1997</p>	
<p>8. Addressee's Address (ONLY if requested and fee paid) Always obtain signature of addressee or agent and DATE DELIVERED.</p>	
<p>3. Article Addressed to: PATRICK COLLINS NEICO PO BOX 337 SPRINGVILLE UT 84663</p>	
<p>4. Article Number P 074 977 736</p>	
<p>Type of Service: <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> COD <input type="checkbox"/> Return Receipt for Merchandise</p>	
<p>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 boxes for additional services requested. 1. <input type="checkbox"/> Show to whom delivered, date, and addressee's address. (Extra charge) 2. <input type="checkbox"/> Restricted Delivery (Extra charge)</p>	
<p>3. Article Addressed to: PATRICK COLLINS NEICO PO BOX 337 SPRINGVILLE UT 84663</p>	

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

- If you want this receipt postmarked, stick the gummed stub to 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 of spaces; 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, enclose RESTRICTED DELIVERY on the front of the article.
- Minor 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 1 of Form 3811
- Save this receipt and present it if you make inquiry.

U.S.G.P.O. 1988-217-132

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

Print Sender's name, address, and ZIP Code in the space below.
 RETURN TO
 DIVISION OF

OIL GAS & MINING
 1594 W NORTH TEMPLE STE 1210
 BOX 145801
 SALT LAKE CITY UT 84114-5801

TT DOGM 6/24/97 ACT/007/012 N-97-41-4-1