

0004



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)

August 8, 1997

Patrick D. Collins, Ph.D.
Resident Agent/Environmental Consultant
Mt. Nebo Scientific, Inc.
P.O. Box 337
Springville, Utah 84663

Steve Traweek
Earthco
1175 East Main Street #214
Price, Utah 84501

Re: Resident Agent for Wellington Preparation Plant, NEICO, Wellington Preparation Plant, ACT/007/012-97-E, Folder #3, Carbon County, Utah

The permit change for the resident agent at NEICO's Wellington Preparation Plant was received on July 25, 1997. The resident agent is being changed from Patrick D. Collins (Mt. Nebo Scientific) to Steve Traweek (EARTHCO).

According to R645-301-112.220, the application must identify the "**applicant's** resident agent". Further, the "**applicant**" is identified as "any person seeking a permit, permit change, and permit renewal, transfer, assignment, or sale of permit rights from the Division to conduct coal mining and reclamation operations or where required, seeking approval for coal exploration." Once an application is approved, the applicant becomes the "**permittee.**"

A unique situation is occurring at the Wellington Preparation Plant, NEICO is the permittee and EARTHCO is the operator. This permit change represents that the resident agent will be the operator, EARTHCO. It also depicts that NEICO has designated an EARTHCO representative to be the resident agent, which is allowable.

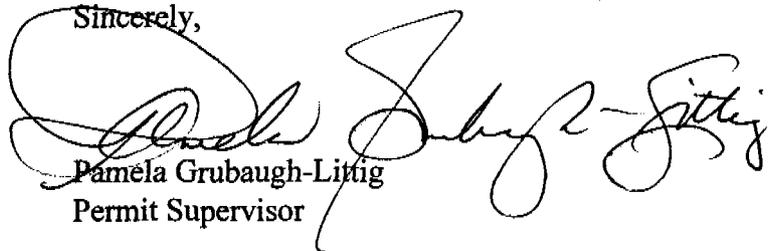
NEICO, the permittee, remains responsible for **all** activities occurring within the Wellington Preparation Plant permit area. Therefore, in light of the fact that NEICO has

Page 2
ACT/007/012-97E
August 5, 1997

designated Steve Traweck as resident agent and there is an "issue" recommendation from the Applicant Violator System (see attached), this amendment is approved.

If you have any questions, please call me.

Sincerely,



Pamela Grubaugh-Littig
Permit Supervisor

tt

Attachment

cc: Mark Page, Water Rights, w/o
Dave Ariotti, DEQ, w/o
Bill Bates, DWR, w/o
Paul Baker, DOGM
Price Field Office

O:\007012.WELAFINALRESAGTLT.WPD

APPLICATION FOR PERMIT PROCESSING

<input type="checkbox"/> Permit Change	<input type="checkbox"/> New Permit	<input type="checkbox"/> Renewal	<input type="checkbox"/> Transfer	<input type="checkbox"/> Exploration	<input type="checkbox"/> Bond Release	Permit Number: ACT/007/012
Title of Proposal: <i>Caval Technologies Modular Coal Fires Wash Plant Construction</i>						Mine: WELLINGTON PREPERATION
						Permittee: NEVADA ELECTRIC

Description, include reason for application and timing required to implement:

Instructions: If you answer yes to any of the first 8 questions (gray), submit the application to the Salt Lake Office. Otherwise, you may submit it to your reclamation specialist.

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	1. Change in the size of the Permit Area? _____ acres Disturbed Area? _____ acres <input type="checkbox"/> increase <input type="checkbox"/> decrease.
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	2. Is the application submitted as a result of a Division Order? DO # _____
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	3. Does application include operations outside a previously identified Cumulative Hydrologic Impact Area?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	4. Does application include operations in hydrologic basins other than as currently approved?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	5. Does application result from cancellation, reduction or increase of insurance or reclamation bond?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	6. Does the application require or include public notice/publication?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	7. Does the application require or include ownership, control, right-of-entry, or compliance information?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	9. Is the application submitted as a result of a Violation? NOV # _____
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	10. Is the application submitted as a result of other laws or regulations or policies? Explain: _____
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	11. Does the application affect the surface landowner or change the post mining land use?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2?)
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	13. Does the application require or include collection and reporting of any baseline information?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	15. Does application require or include soil removal, storage or placement?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	16. Does the application require or include vegetation monitoring, removal or revegetation activities?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	17. Does the application require or include construction, modification, or removal of surface facilities?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	18. Does the application require or include water monitoring, sediment or drainage control measures?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	19. Does the application require or include certified designs, maps, or calculations?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	20. Does the application require or include subsidence control or monitoring?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	21. Have reclamation costs for bonding been provided for?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	22. Does application involve a perennial stream, a stream buffer zone or discharges to a stream?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	23. Does the application affect permits issued by other agencies or permits issued to other entities?

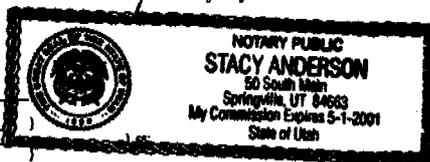
Attach 3 complete copies of the application.

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein. (R645-301-123)

Patrick D. Collins Res. Ag. 4/30/97
 Signed - Name - Position - Date

Subscribed and sworn to before me this 30 day of JUNE, 1997.

Stacy Anderson
 Notary Public



My Commission Expires: _____, 19____
 Attest: STATE OF _____ COUNTY OF _____

