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

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June 16, 1997

Patrick Collins
Nevada Electric Investment Company
Mt. Nebo Scientific, Inc.
P.O. Box 337
Springville, Utah 84663

Re: Mid Term Review, Nevada Electric Investment Company, ACT/007/012, Folder #3, Carbon County, Utah

Dear Mr. Collins:

The Division is required to review each active permit during its term, in accordance with R645-303-211. This review is to take place at the mid point of the permit term and will cover pertinent elements that have been selected for review. During the last year the Wellington Plan has undergone an extensive review by the technical staff. That review and the ongoing follow-up will constitute the Mid term for the Wellington Prep Plant.

A recap of the midterm is as follows: A Technical Analysis was completed on July 25, 1996 which identified a number of deficiencies in the Wellington plan. The deficiencies were responded to on October 23, 1996 whereupon the Division completed another technical analysis and sent the results to you on December 23, 1996. At that time 13 deficiencies were identified which you were required to correct. As of today's date, three of the deficiencies have been corrected leaving 10 that still need to be addressed.

Here is a summary of the remaining deficiencies:

R645-301-233, Provide a commitment in the text of the plan to perform the following: 1) during salvage provide on-site, real-time analysis of Area "A" soils, in 18 inch depth increments, including analysis of pH, EC and SAR, 2) proceed with soil salvage only after determining subsurface soil quality, 3) proceed with soil borrow Area "A" soils only after Area "B" soils have been exhausted, and 4) prior to salvage, sample Area "B" soils in the northern and periphery portions of this proposed topsoil borrow area (The Division requests that they be apprised of the sampling agenda and participate during the sampling).

R645-301-241, Area "E" should be replaced by Area "B" as explained in the new submittal of Section 2.41.

R645-301-341.250, The plan needs to contain a vegetative cover success standard for the topsoil borrow areas that might be used for grazing.

R645-301-342, Commit to reclaim the area to the premining land use and include a plan for practical wildlife habitat enhancement measures using the best technology currently available (following approval, the permittee can consider alternative land uses and how habitat enhancement measures can be incorporated into these land uses).

R645-301-515.300, Provide an accurate description in the plan clearly reflecting the requirements of this regulation.

R645-301-521.130, Provide a map showing the current owners of surface lands within and contiguous to the permit area, that does not conflict with the text.

R645-301-527, Provide a detailed description of each road constructed used or maintained in the permit area. Demonstrate that each of the roads classified as "ancillary" meet the requirements of R645-301-527.130. At a minimum the operator must identify the present and future use of the road and state that the road will be removed during reclamation. The permittee must change the R614 references to R645.

R645-301-542.300, Provide the Division with maps at scales of not larger than 1 in equal 100 feet for all areas that will be backfilled and regraded. Document how the safety factor on the final embankment of the reclaimed slurry impoundment/refuse pile was determined.

R645-301-740, Provide designs that meet the requirements of R645-301-740 and R645-301-742. *It is recommended that the permittee eliminate references to removal of the auxiliary pond from the plan and provide a commitment to remove the inlet/culvert between the dryer and road pond and re-establish the embankment at an elevation that exceeds the dryer pond emergency spillway elevation.*

R645-301-800, Provide bond adjustments for the relocation and regrading associated with the proposed changes in the location of the topsoil borrow area and other pertinent changes associated with this amendment.

Once these deficiencies have been corrected the mid term review will be concluded. You should refer to the December 1996 Technical Analysis for more detailed information on these requirements. If you have any questions regarding these deficiencies or the mid term review please don't hesitate to call.

Sincerely,

Daron R. Haddock
Permit Supervisor

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cc: P. Baker
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