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State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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May 8, 1997

Dr. Patrick Collins
Mt. Nebo Scientific
P.O. Box 337
Springville, Utah 84663

Re: Return of Major Modification, Nevada Electric Investment Company, ACT/007/012,
Folder #2, Carbon County, Utah

Dear Dr. Collins:

On April 18, 1997, the Division received an application for permit change from your office entitled "Major Modification to Implement Reclamation" at the Wellington Prep Plant site. As we discussed on the phone, the Division was having difficulty in processing the application.

On May 7, 1997, the Division met with Jim Scott, Steve Traweek, and Mel Coonrod to discuss the submittal since they were the ones who had actually produced the document. One of the objectives of the meeting was to determine what was intended by the submittal and how to handle it. It was determined that the Division could not process the application as submitted and we are returning it to your office.

During the meeting, several possibilities for amending the plan were explored. These include: 1) amending the permit area to exclude those areas that have never been disturbed by mining operations (this may depend on finding alternative borrow sites; 2) applying for alternate post-mining land use on those areas that have been disturbed but are planned for use as industrial sites; 3) after changing the post mining land use, applying for bond release on those areas that would qualify as industrial sites; and 4) amending the plan to allow for continued mining operations on portions of the site. We understand that Earthco intends to revise the plans accordingly and resubmit (through NEICO) in the near future. It was determined that the existing NEICO plan would be modified with addendums or attachments through the amendment process rather than trying to create a new plan.

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Another item briefly discussed was the need to respond to the deficiencies identified in the December 23, 1996, Technical Analysis. While NEICO has responded to a couple of the deficiencies, the Earthco submittal did not address the remaining outstanding issues as anticipated. The plan is still considered to be deficient and outstanding items must be addressed as soon as possible. This problem seems to have dragged on too long already. To avoid enforcement action, you will need to supply a complete and adequate response to the remaining deficiencies by no later than June 9, 1997.

We look forward to hearing from you. Please call if you have any questions.

Sincerely,



Daron Haddock
Permit Supervisor

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Enclosures: 3 volumes - Major Modification

cc: Steve Traweck, Earthco

James Scott, Earthco

Mel Coonrod, EIS

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