

0019



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)

March 28, 1997

Mr. Steve Traweek
Earthco
1179 East Main Street, No. 104
Price, Utah 84501

Re: Noncoal Waste, Nevada Electric Investment Company, Wellington Preparation Plant, ACT/007/012, Folder #2, Carbon County, Utah

Dear Mr. Traweek:

On March 25, 1997, I conducted an inspection of the Wellington Preparation Plant. Demolition of some buildings has been continuing, and a lot of scrap steel and other building materials were spread over a fairly large area to the southeast of the dryer building.

I understand that demolition can be messy, but I would like to point out certain relevant regulations. R645-301-528.331 says, "Noncoal mine wastes including, but not limited to, grease, lubricants, paints, flammable liquids, garbage, abandoned mining machinery, lumber and other combustible materials generated during mining activities will be placed and stored in a *controlled manner* in a designated portion of the permit area (emphasis added)." You need to ensure that progress toward cleaning up the demolition debris and scrap continues.

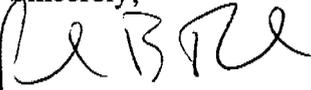
As you know, I have found some of the material from demolition in a sediment pond and a diversion ditch. This is not acceptable. All runoff and sediment control structures must be maintained according to designs in the operation and reclamation plan (R645-301-732.100 and R645-301-732.210).

Noncompliance with the above regulations can lead to issuance of a notice of violation. If material from the demolition was found outside the permit area, however, I would be obligated to issue a cessation order which would require all operations to cease until the situation leading to the cessation order was rectified.

I strongly recommend that material from demolition of the dryer and loadout buildings be cleaned up before the contractor begins work on the main preparation plant building. As expressed in this letter, I already have concerns about how well the material is being cleaned up, and I don't think you are ready to start on the largest part of the demolition project. The situation could become impossible to manage.

Noncoal Waste
ACT/007/012
March 28, 1997
Page 2

Please let me know if you need further information or if I can answer any questions about these issues.

Sincerely,

Paul B. Baker
Reclamation Biologist

cc: Joe Helfrich
Patrick Collins
O:\007012.WEL\DRAFT\NONCOAL.PBB