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STATE OF UTAH  
NATURAL RESOURCES  
Division of Oil, Gas & Mining

3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340

NO. N 98-41-4-1

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 c/o Mt. Nebo Scientific P.O. Box 337 Springville, UT 84663

State Permit No. ACT/007/012

Ownership Category  State  Federal  Fee  Mixed

Date of inspection October 6, 1998, 19    

Time of inspection 10:20  a.m.  p.m. to 1:20  a.m.  p.m.

Operator Name (other than Permittee) Earthco

Mailing Address 3637 North Meridian St, STE 100 Indianapolis, IN 46208

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.

Date of service/ mailing 11/12/98

Time of service/ mailing 9:00  a.m.  p.m.

Patrick Collins  
Permittee/Operator representative

Resident Agent  
Title

Mailed From SLC Office  
Signature

Paul B. Baker  
Division of Oil, Gas & Mining representative

Reclamation Biologist  
Title

*PRB*  
Signature

41  
Identification Number

SEE REVERSE SIDE

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

B-738



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**NOTICE OF VIOLATION NO. N 98-41-4-1**

Violation No. 1 of 1

Nature of violation

Failure to submit water monitoring results. Failure to provide access to  
water monitoring records.

Provisions of act, regulations or permit violated

R645-400-112

R645-301-731.200

Portion of operation to which notice applies

Second quarter water monitoring data for sites SW-1, 2, 2A, 5, 6, 7, and 8;  
GW-1, 2, 3, 4, 5, 6, 15a, 15b, 16, and 17.

Remedial action required (Including any interim steps)

Submit the required water monitoring data to the Division.

Abatement time (Including interim steps)

November 17, 1998, 5:00 p.m.