



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 98-41-3-1

notice of violation

To the following Permittee or Operator:

Name Nevada Electric Investment Company

Mine Wellington Preparation Plant Surface Underground Other

County Carbon State Utah Telephone (702) 367-5625

Mailing Address Box 230 Las Vegas, NV 89151

State Permit No. ACT/007/012

Ownership Category State Federal Fee Mixed

Date of inspection May 8, 19 98

Time of inspection 10:00 a.m. p.m. to 2:00 a.m. p.m.

Operator Name (other than Permittee) Earthco

Mailing Address 3854 Highway 31 South #190 Pelham, AL 35124

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/mailling 5/14/98

Time of service/mailling 8:00 a.m. p.m.

Steve Traweek
Permittee/Operator representative

Resident Agent
Title

Mailed from SLC Office
Signature

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

Reclamation Biologist
Title

Paul B. Baker
Signature

41
Identification Number

cc: Steve Traweek
Patrick Collins

SEE REVERSE SIDE

WHITE-DOGGM YELLOW-OPERATOR PINK-OSM GOLDENROD-NOV FILE

PSC BU

- Stick postage stamps to article to cover First-Class postage, certified mail fee, and charges for any selected optional services (See front).
1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier (no extra charge).
 2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach, and retain the receipt, and mail the article.
 3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
 4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
 5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the appropriate boxes.

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS



PENALTY FOR PRIVATE USE, \$300

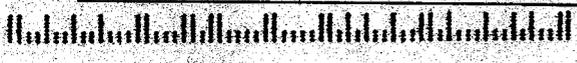
SENDER INSTRUCTIONS
Print your name, address and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RETURN TO

Print Sender's name, address, and ZIP Code in the space below.

DIVISION OF OIL, GAS & MINING
1594
1594 W NOT TEMPLE STE 1210
SALT LAKE CITY UT 84114



TT DOGM 5/14/98 ACT/007/012 NOV N98-41-3-1

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. Show to whom delivered, date, and addressee's address. 2. Restricted Delivery (Extra charge)

3. Article Addressed to: STEVE TRAWEEK EARTHCO 3584 HWY 31 S #190 PELHAM AL 35124	4. Article Number Z230 747 322 Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return-Receipt for Merchandise Always obtain signature of addressee or agent and DATE DELIVERED .
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5. Signature - Address
X

6. Signature - Agent
X

7. Date of Delivery
MAY 19 1998

US Postal Service	230 747 322
Receipt for Certified Mail	
No Insurance Coverage Provided.	
Do not use for International Mail (See reverse)	
Sent to	STEVE TRAWEEK
Street & Number	3584 HWY 31 S #190
Post Office, State, & ZIP Code	PELHAM AL 35124
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom, Whom & Date Delivered	
Return Receipt Showed to Whom, Whom & Date Delivered	
Date & Addressee's Address	MAY 19 1998
TOTAL Postage & Fees	\$
Postmark (or Date)	MAY 19 1998



NOTICE OF VIOLATION NO. N 98-41-3-1

Violation No. 1 of 1

Nature of violation

Failure to conduct all coal mining and reclamation operations to minimize disturbance to the hydrologic balance within the permit and adjacent areas and to prevent material damage to the hydrologic balance outside the permit area.
Failure ~~to~~ conduct discharges in compliance with all Utah and federal water quality laws and regulations.

Provisions of act, regulations or permit violated

R645-301-750, R645-301-751

Portion of operation to which notice applies

Discharge of water from the slurry ponds to the Siaperas Ditch and subsequently to the Price River.

Remedial action required (including any interim steps)

1. Stop discharge from the Siaperas Ditch to the Price River.
2. Submit a plan to the Division showing how discharge to the Siaperas Ditch will be controlled in a manner to comply with the Coal Regulatory Performance Standards.
3. Implement the plan upon approval.

Abatement time (including interim steps)

1. May 18, 1998
2. May 28, 1998
3. June 11, 1998