



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

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Michael O. Leavitt
Governor

Lowell P. Braxton
Division Director

June 22, 1998

Steve Traweek, Resident Agent
EARTHCO
3584 Highway 31 South, No. 190
Pelham, Alabama 35124

Re: Division Order, Nevada Electric Investment Company, Wellington Prep Plant, ACT/007/012-DO98A, Folder #3, Carbon County, Utah

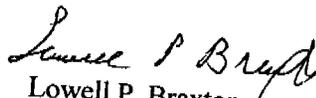
Dear Mr. Traweek:

The Division has determined that certain activities at the Wellington Prep Plant site are not adequately addressed in the currently approved operation and reclamation plan. To rectify this situation, a Division Order is enclosed which requires you to complete certain actions within a 30 day time frame. It is imperative that the permit deficiencies get corrected in order to allow continued operations at the site.

The deficiencies are associated with the Covol modular prep plant activities and fall under two categories. First, the plan needs to contain additional monitoring for the chemical constituents used in the process (flotation agents). This will assure that the activities are being conducted to prevent material damage to the hydrologic balance outside the permit area. Second, the maps in the plan need to be updated to account for all activities on the east side of the Price River. The current maps do not delineate the disturbed area boundary and must do so.

Thank you for your help in completing the Division Order in the required time frame. If you have any questions regarding the requirements, please contact Daron Haddock at 801-538-5325, or Paul Baker at 801-538-5261.

Sincerely,


Lowell P. Braxton
Acting Director

tam

Enclosure

cc: Patrick Collins, NEICO (w/o enclosure)

P. Baker

D. Haddock

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STATE OF UTAH
DIVISION OF OIL, GAS AND MINING

PERMITTEE

· Nevada Electric Investment Company

Steven Traweek, Resident Agent
EarthCo
3854 Highway 31 South, No. 190
Pelham, Alabama 35124

ORDER & FINDINGS
OF
PERMIT DEFICIENCY

PERMIT NUMBER ACT/007/012
DIVISION ORDER # 98A

PURSUANT to R645-303-212, the Division orders the permittee, Nevada Electric Investment Company, to make the requisite permit changes enumerated in the findings of Permit Deficiency in order to be in compliance with the State Coal Program. These findings are to be remedied in accordance with R645-303-220.

FINDINGS OF PERMIT DEFICIENCY

A review of the current Mining and Reclamation Plan (MRP) and field investigations have revealed that certain activities associated with the mine are not adequately addressed in the operation and reclamation plan.

Information Required to Be Submitted by Regulation Cited:

R645-301-731. The ground and surface water monitoring plans do not provide for the monitoring of parameters that relate to the suitability of the water for current and approved postmining land uses, and additional monitoring measures are needed to assure material damage to the hydrologic balance outside the permit area is prevented. The Division hereby requires the ground and surface water monitoring plans be amended to include monitoring for benzene, toluene, ethyl benzene, xylene, naphthalene, and propylene glycol. The surface water monitoring plan needs to include monitoring for these parameters in the Siaperas Ditch, possibly at site SW-4.

R645-301-521.162 and R645-301-521.163. The map in the operation and reclamation plan showing the disturbed area boundary needs to be updated for the modular preparation plant activities on the east side of the

Price River.

ORDER

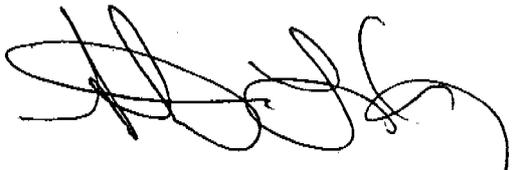
Nevada Electric Investment Company, is hereby ordered to make the requisite permit changes in accordance with R645-303-220 and to submit a complete, adequate application for permit change to address the findings of permit deficiency within 30 days of the date of receipt of this Order.

Ordered this 22nd day of June, 1998, by the Division of Oil, Gas, and Mining.



Lowell Braxton, Acting Director
Division of Oil, Gas and Mining

tam
cc: Patrick Collins, NEICO
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STEVE TRAVER
6-22-98