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

Michael O. Leavitt  
Governor  
Ted Stewart  
Executive Director  
Lowell P. Braxton  
Division Director

1594 West North Temple, Suite 1210  
PO Box 145801  
Salt Lake City, Utah 84114-5801  
801-538-5340  
801-359-3940 (Fax)  
801-538-7223 (TDD)

January 2, 1998

Steve Traweek, Resident Agent  
EARTHCO  
1175 East Main Street, Suite 214  
Price, Utah 84501

Re: Approval of Refuse Basin Mining, Nevada Electric Investment Company, Wellington Prep Plant, ACT/007/012-97H, Folder #3, Carbon County, Utah

Dear Mr. Traweek:

The Division has completed a review of the initial amendment and subsequent submittals made to allow mining of the Coal Fines from the Wellington Preparation Slurry cells. With the submittal made today the Division is satisfied that this site can be operated in conformance with the R645 Coal Mining Regulations. The Refuse Basin Mining and Wash Plant Operation amendment is hereby approved with one stipulation as follows:

**R645-301-731**, To ensure that the operation of the facility will fall within projected levels, the Permittee must secure a composite sample from the waste stream and have it analyzed for benzene (TCLP) within approximately 6 months of commencing operation or at such time as the process is considered to have reached steady state.

Many of the submittals that were made in conjunction with this amendment were redline strikeout versions. The Division will require 3 clean copies of the entire amendment for our files and processes. Please submit the copies by no later than January 23, 1998

Thank you for your help through the permitting process. Please call if you have any questions regarding the approval or the requirements.

Sincerely,

A handwritten signature in black ink that reads "Daron R. Haddock".  
Daron R. Haddock  
Permit Supervisor

cc: Tim Thompson (JBR)  
Richard Hinkley (NEICO)  
Patrick Collins, NEICO  
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