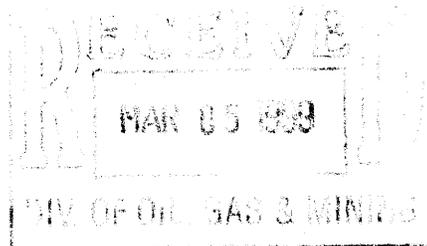




**MT NEBO SCIENTIFIC, INC.**

*research & consulting*



March 5, 1999

Utah Coal Regulatory Program  
STATE OF UTAH  
Division of Oil, Gas & Mining  
1594 West North Temple, Suite 1210  
Salt Lake City, Utah 84114-5801

**RE:** Post-mining Land Use Change & Bond Release (Pt. 2)  
Amendment to the Mining & Reclamation Plan  
Wellington Preparation Plant (ACT/007/012) #2

Dear Coal Program Members:

Please find three (3) copies of the of an amendment to Wellington's Mining & Reclamation Plan (MRP).

On February 17, 1999 we submitted our response to the Technical Analyses (TA) dated January 11, 1999 and February 5, 1999. Since that time we have consulted with several of the technical staff members at DOGM who made comments about the February 17<sup>th</sup> submittal. This submittal addresses those comments made by the staff.

Instructions for insertion to the previous submittal and Wellington's MRP has been included with the C1 and C2 forms. The "Comments & Instructions" included will assist the staff members in identifying the comments and changes made in this document.

*Thank you for your comments about our amendment. Please do not hesitate to contact us if you have more of them.*

Sincerely,

Patrick D. Collins, Ph.D.  
Resident Agent/Environmental Consultant

# APPLICATION FOR PERMIT PROCESSING

<input checked="" type="checkbox"/> Permit Change	<input type="checkbox"/> New Permit	<input type="checkbox"/> Renewal	<input type="checkbox"/> Transfer	<input type="checkbox"/> Exploration	<input checked="" type="checkbox"/> Bond Release	Permit Number: ACT/007/012
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Title of Proposal: Post-mining Land Use Change & Bond Release (Pt. 2) <i>(Additional pages for the February 17, 1999 amendment)</i>	Mine: WELLINGTON PREPARATION Permittee: NEICO
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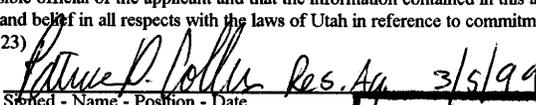
Description, include reason for application and timing required to implement:

**Instructions:** If you answer yes to any of the first 8 questions (gray), submit the application to the Salt Lake Office. Otherwise, you may submit it to your reclamation specialist.

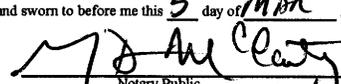
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	1. Change in the size of the Permit Area? <u>326.3</u> acres Disturbed Area? <u>61.3</u> acres <input type="checkbox"/> increase <input checked="" type="checkbox"/> decrease.
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	2. Is the application submitted as a result of a Division Order? DO #
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	3. Does application include operations outside a previously identified Cumulative Hydrologic Impact Area?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	4. Does application include operations in hydrologic basins other than as currently approved?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	5. Does application result from cancellation, reduction or increase of insurance or reclamation bond?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	6. Does the application require or include public notice/publication?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	7. Does the application require or include ownership, control, right-of-entry, or compliance information?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	9. Is the application submitted as a result of a Violation? NOV #
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	10. Is the application submitted as a result of other laws or regulations or policies? Explain:
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	11. Does the application affect the surface landowner or change the post mining land use?
<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2?)
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	13. Does the application require or include collection and reporting of any baseline information?
<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	15. Does application require or include soil removal, storage or placement?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	16. Does the application require or include vegetation monitoring, removal or revegetation activities?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	17. Does the application require or include construction, modification, or removal of surface facilities?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	18. Does the application require or include water monitoring, sediment or drainage control measures?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	19. Does the application require or include certified designs, maps, or calculations?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	20. Does the application require or include subsidence control or monitoring?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	21. Have reclamation costs for bonding been provided for?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	22. Does application involve a perennial stream, a stream buffer zone or discharges to a stream?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	23. Does the application affect permits issued by other agencies or permits issued to other entities?

**Attach 3 complete copies of the application.**

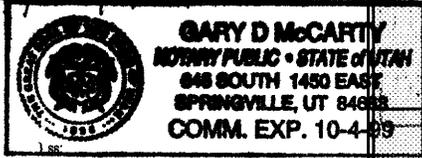
I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein. (R645-301-123)

  
 Signed - Name - Position - Date  
 Peter P. Collins Res. Ag. 3/5/99

Subscribed and sworn to before me this 5 day of Mar, 19 99

  
 Notary Public

My Commission Expires: 10/14, 19 99  
 Attest: STATE OF Utah COUNTY OF Wasatch



Received by Oil, Gas & Mining

MAR 03 1999

ASSIGNED TRACKING NUMBER





Comments & Instructions  
to the Mining & Reclamation Plan  
of the Wellington Preparation Plant  
ACT/007/012

March 5, 1999

Response to State of Utah, Division of Oil, Gas & Mining  
Technical Analysis dated: February 8, 1999 (Pt. 2)

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**Comment:**

We felt we needed to clarify the agreement we made in the field with DOGM on January 28, 1999 about Area "J". This agreement was that Andalex could go ahead and salvage and stockpile that volume of borrow material during operations from Area "B" (or Area "J") if they needed Area "J" released from the permit area too.

**Response:**

We have made this comment insertable to the MRP (see below).

**Instructions:**

Sec. 2.41, p. 6, 3/5/99, of this submittal replaces  
Sec. 2.41, p. 6, 2/17/99, of the last submittal.

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**Comment:**

We forgot to take Area "J" out of the legal description in the previous submittal. In other words, Area "J" *remains* in the permit area at this time so we have *excluded* it from the legal description of that land that will be released. This description also needed to be changed on one of our maps.

It was also brought to our attention that we did not include the Slurry Pipeline Sediment Pond on one of our recent disturbed area maps. This change has been made.

**Response:**

We have made this comment insertable to the MRP (see below).

**Instructions:**

Sec. 4.12, p. 4. , 3/5/99, of this submittal replaces  
Sec. 4.12, p. 4 , 2/17/99, of the last submittal.

Map 412.01 of this submittal replaces  
Map 412.01 of the 2/17/99 submittal.

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**Comment:**

Wayne Western (DOGM) wanted to make sure all of the remaining coal material would be used by Andalex. Andalex would use all coal material. The material of lower quality due to mixing with soil material from contact with it will be used for the proposed impoundment by Andalex. This is explained in the insert page.

**Response:**

We have made this comment insertable to the MRP (see below).

**Instructions:**

Sec. 4.12, p. 9. , 3/5/99, of this submittal replaces  
Sec. 4.12, p. 9 , 2/17/99, of the last submittal.

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**Comment:**

Same comment as above about the coal material. It was also described in a different section of the MRP.

**Response:**

We have made this comment insertable to the MRP (see below).

**Instructions:**

Sec. 5.30, p. 4-5. , 3/5/99, of this submittal replaces  
Sec. 5.30, p. 4-5 , 2/17/99, of the last submittal.

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**Comment:**

Same comment as above about the coal material. It was also described in a different section of the MRP.

**Response:**

We have made this comment insertable to the MRP (see below).

**Instructions:**

Sec. 5.40, p. 5-6. , 3/5/99, of this submittal replaces  
Sec. 5.40, p. 5-6 , 2/17/99, of the last submittal.

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**Comment:**

Deficiency related to R645-301-880.330 was addressed in the February 17, 1999 submittal, except for an updated Hydrologic Impact Assessment.

**Response:**

A full baseline suite has been completed for the trackhopper. Water quality data which has been collected and not inserted into the MRP has been analyzed and compared with water quality standards. The data and analysis are provided in a new appendix - Appendix 880.330. This appendix was submitted informally earlier (2/25/99) to Sharon Falvey. The attached appendix has been updated based on preliminary DOGM review.

**Instructions:**

Insert the attached Appendix 880.330 dated March 5, 1999 into the MRP.

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**Comment:**

We forgot to revise the reclamation timetable in Section 5.40 to reflect the revised end land use for the proposed bond release area.

**Response:**

The reclamation timetable (Section 5.40) for the backfilling and grading plan for the area west of the Price River has been revised in Section 5.40 to be consistent with the proposed postmining land use change.

**Instructions:**

Sec. 5.40, pp. 1 and 2, 3/5/99 of this submittal revision replaces  
Sec. 5.40, pp. 1 and 2, 10/23/96, of the current MRP.

**Comment:**

The Hydrologic computations for Watershed No. 5 - reclamation should be revised to be consistent with the proposed land use change.

**Response:**

Post reclamation hydrologic computations for Watershed No. 5 have been revised to be consistent with the proposed amended reclamation plan.

**Instructions:**

Hydrologic Appendix - Watershed No. 5, - Post Reclamation pp. 1 through 3 dated March 1999 of this submittal replaces Hydrologic Appendix - Watershed No. 5, - Post Reclamation pp. 1 through 4 dated April 1994.

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