**MT NEBO SCIENTIFIC, INC.***research & consulting*

July 2, 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: Berm & Topsoil Stockpiles
Amendment to the Mining & Reclamation Plan
Wellington Preparation Plant (ACT/007/012) #2

Copy Joe & Paul

Dear Coal Program Members:

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

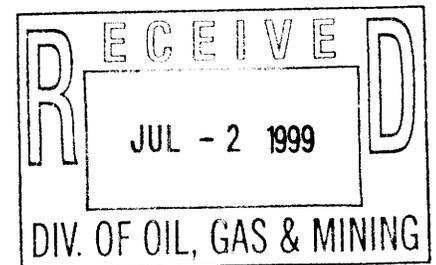
As a result of N98-41-5-1, on-site ground changes were made at the Wellington Preparation Plant. This amendment will update the MRP as a result of these change.

Instructions for insertion to the previous submittal and Wellington's MRP has been included with the C1 and C2 forms. Please call if you have questions or comments.

Sincerely,

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

cc: D. Schwehr (NEICO)



APPLICATION FOR PERMIT PROCESSING

<input type="checkbox"/> Permit Change	<input type="checkbox"/> New Permit	<input type="checkbox"/> Renewal	<input type="checkbox"/> Transfer	<input type="checkbox"/> Exploration	<input type="checkbox"/> Bond Release	Permit Number: ACT/007/012
Title of Proposal: Berm & Topsoil Amendment						Mine: WELLINGTON PREP. PLANT
						Permittee: NEICO

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 type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	1. Change in the size of the Permit Area? _____ acres Disturbed Area? _____ acres <input type="checkbox"/> increase <input 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 type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	5. Does application result from cancellation, reduction or increase of insurance or reclamation bond?
<input type="checkbox"/> Yes	<input checked="" 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 checked="" type="checkbox"/> Yes	<input 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 type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	11. Does the application affect the surface landowner or change the post mining land use?
<input 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 type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	13. Does the application require or include collection and reporting of any baseline information?
<input 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 type="checkbox"/> Yes	<input checked="" 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?

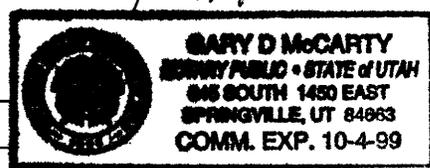
Attach 3 complete copies of the application.

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)

Katechik Collins Res. Ag 7/2/99
 Signed - Name - Position - Date

Subscribed and sworn to before me this 1 day of JULY, 1999

[Signature]
 Notary Public
 My Commission Expires: 7/6/14, 1999
 Attest: STATE OF UTAH COUNTY OF Utah

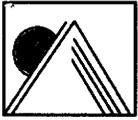


Received by Oil, Gas & Mining

RECEIVED

JUL - 2 1999

DIV. OF OIL, GAS & MINING



MT NEBO SCIENTIFIC, INC.

research & consulting

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

July 2, 1999

Response to State of Utah, Division of Oil, Gas & Mining
Notice of Violation N98-41-5-1

Comment:

Topsoil Stockpiles Nos. 1&2 were removed and placed on Stockpile 3. Following are some changes to the MRP that should make it more current with these changes.

A figure showing plan and sectional views has also been included.

Instructions:

Sec. 2.31, p. 3-7, 7/2/99, of this submittal replaces
Sec. 2.31, p. 3-5, 1/27/91, of the current approved MRP.

The figure titled "Wellington Preparation Plant: Topsoil Stockpile No. 3" of this submittal should be added to Appendix F, Volume III-C, of the current MRP.

Comment:

A berm was placed between watersheds during reclamation activities and in anticipation that Andalex would buy a portion of the existing permit area. This berm could eventually be used to separate watersheds by the owner. Current runoff was studied and the berm was breached (or rendered discontinuous) in an appropriate location so that sediment control would remain as approved in the current plan and *not* separate watersheds at this time.

Text describing this berm and its reclamation has been written to be inserted to the MRP. Additionally, a figure showing the berm location and the breached portion has also been included with this submittal.

Instructions:

Sec. 5.53, p. 3-5, 7/2/99, of this submittal replaces
Sec. 5.53, p. 3-5, 6/16/95, of the current approved MRP.
