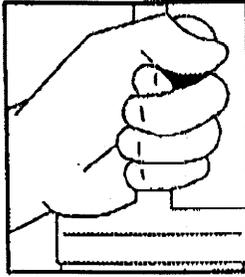


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**FAX TRANSMISSION**

ACT/007/012 # ~~1~~  
2

TO: Paul Baker

FROM: Patrick

DATE: 10/4/99

SUBJECT: (see below)

NO. OF PAGES (including this pg.): 11

- 1) Ext. Request to Joe (Aug 23, 1999)
- 2) Pike inspections (2nd Quarter)
- 3) Pond inspections "



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VIA: FACSIMILE

August 23, 1999

Joseph C. Helfrich  
STATE OF UTAH  
Division of Oil, Gas & Mining  
1594 West North Temple, Suite 1210  
Salt Lake City, Utah 84114-5801

RE: Wellington Preparation Plant  
Berm & Topsoil Amendment  
DOGM Deficiency (N98-41-5-1)

ACT/007/012 # 2

Dear Mr. Helfrich:

In your letter dated August 5, 1999 (received August 20, 1999), a request was made to change the operation and reclamation plan at Wellington to address reclamation of the coal handling and storage area. You requested my comments by August 24, 1999. In order to address this matter I need to present the Division's findings to NEICO to determine what course of action they intend to take. There are several possible options some of which include: 1) additional soil sampling, 2) research associated with acceptable levels of boron on native plant species or, 3) revision of the MRP and reclamation bond to accommodate 4 ft of cover in these areas.

To accomplish the above objectives and in order to address the Division's concerns, we will need at least 30 days to do so (possibly more depending on the course NEICO decides to take).

Your consideration in this matter will be much appreciated.

Sincerely,

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

cc: D. Schwehr (NEICO)