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

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cc: Paul
Mary Ann
[Handwritten signature]

July 15, 1999

Patrick Collins, Resident Agent
Mt. Nebo Scientific
P.O. Box 337
Springville, Utah 84663

Re: Returning Bond Release Application, NEICO, Wellington Preparation Plant, ACT/007/012-BR97, Folder #3, Carbon County, Utah

Dear Mr. Collins:

Enclosed please find the bond release application for the Wellington Preparation Plant. This application was initially submitted on October 9, 1997 and published in the **Sun Advocate** on September 9, 16, 23, and 30, 1997. The proposed areas to be released were: track hopper and raw coal conveyor, sand hopper, substation, plant railroad, powerline - west of Price River, natural gas pipeline and pavement.

A bond release inspection was conducted on December 23, 1997 and deficiencies associates with this inspection were identified in a letter sent to the operator and resident agent, EarthCo, dated February 19, 1998. A response to this letter was received on November 16, 1998 and a subsequent Division review sent on December 2, 1998. Another response was submitted on December 16, 1998 and a preliminary Division review for an alternative postmining landuse and final bond release was sent on January 11, 1999. A second bond release inspection was conducted on January 28, 1999 and the applicant submitted subsequent revisions to the application on February 18 and March 5, 1999.

In April of this year, the Division requested assurance that the postmining landuse could be actuated upon final bond release but no documentation of this assurance has been received to date. Therefore, due to the fact that there has been no activity on this permitting action for over 90 days, this application for an alternative postmining landuse and final bond release is being returned.

If you have any questions, please call me.

Sincerely,

[Handwritten signature: Pamela Grubaugh-Littig]
Pamela Grubaugh-Littig
Permit Supervisor