



MT NEBO SCIENTIFIC, INC.
research & consulting

January 25, 2000

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

Inclosure

RECEIVED

*Fax p/c
Cover Letter* JAN 28 2000

RE: 4th Quarter Report - 1999

ACT/007/012

DIVISION OF
OIL, GAS AND MINING

Dear Coal Program Representative:

Enclosed please find the 4th Quarter 1999 Report for the Wellington Coal Preparation Plant. The report includes pond inspections, refuse pile inspections, and NPDES reports. Quarterly water quality data is inspected quarterly by a Division inspector and is *not* included here.

Please contact me if you have questions or comments.

Sincerely,

Patrick D. Collins

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

Enclosure

cc: Dennis Schwehr (NEICO) w/o enclosure

4th QUARTER REPORT 1999
for the
WELLINGTON PREPARATION PLANT

PERMITTEE:

NEICO
6226 West Sahara Ave.
Las Vegas, Nevada 89102

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JAN 28 2000

DIVISION OF
OIL, GAS AND MINING

Submitted By:

MT. NEBO SCIENTIFIC, INC.
330 East 400 South
Springville, Utah 84663
(801) 489-6937



December 23, 1999

4TH QUARTER (ANNUAL) REFUSE PILE INSPECTIONS

Permit Number	007/012	Report Date	11/30/99
Mine Name	COVOL WELLINGTON PREP PLANT AREA		
Company Name	COVOL TECHNOLOGIES, INC.		
Excess Spoil Pile or Refuse Pile Identification	Pile Name	SPOIL (REFUSE) PILE	
	Pile Number		
	MSHA ID Number		
Inspection Date	11/23/99		
Inspected By	Vicky Miller and Layne D. Jensen		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	QUARTERLY		
	Attachments to Report?	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes

Field Evaluation

1. Foundation preparation, including the removal of all organic material and topsoil.

NO ORGANIC MATERIAL OR SOIL ASSOCIATED WITH THE PILE.

2. Placement of underdrains and protective filter systems.

NA

3. Installation of final surface drainage systems.

Any sediment reports to the Lower Refuse Pond.

4. Placement and compaction of fill materials.

No modification to pile(s) since the last inspection.

5. Final grading and revegetation of fill.

NA

6. Appearances of instability, structural weakness, and other hazardous conditions.

No conditions were observed that posed a hazard.

7. Other Comments. Describe any changes in the geometry of the Excess Spoil/Refuse Pile structure, instrumentation, average and maximum lifts of materials placed in the pile, elevations of active benches, total and remaining storage capacity of the structure, evidence of fires in the pile and abatement of such fires, volumes of materials placed in the structure during the year, and any other aspect of the structure affecting its stability or function which has occurred during the reporting period.

Pile has not been modified in 1999.

RECEIVED

JAN 28 2000

DIVISION OF
OIL, GAS AND MINING

**Certification
Statement**

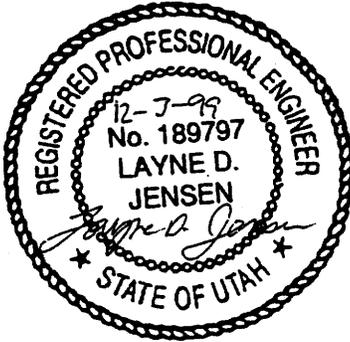
I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

[Cert. Stamp]

By: Layne D. Jensen Environmental Engineer
(Full Name and Title)

Signature: Layne D. Jensen Date: 12-3-99

P.E. Number & State: 189797, Utah



Wellington Loadout Site

4th Quarter / 1999

Coal Refuse Pile - Quarterly Report

Site Name: Wellington Loadout Site

Refuse Pile:

Pile I.D. #:

Plant Refuse Pile

1211-UT-09-00099-01

Water impounding against toe: None - Dry.

Fires on piles: None

Seepage, cracks, erosion problems or any other comments pertaining to the stability of the pile:
Minor erosion on top and sides. Sign O.K.

I have performed the above inspection on this refuse pile and do hereby certify it to be a true and accurate representation of the pile at this time.



Dan W. Guy

Dan W. Guy, P.E.

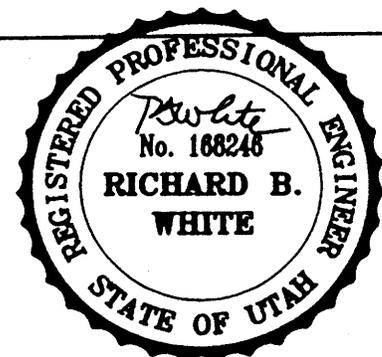
President

Blackhawk Engineering, Co.

10/19/99

Date

INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL PILE OR REFUSE PILE		Page 1 of	
Permit Number	007/012	Report Date	10/25/99
Line Name	COVOL WELLINGTON PREP PLANT AREA		
Company Name	COVOL TECHNOLOGIES, INC.		
Excess Spoil Pile or Refuse Pile Identification	File Name	REFUSE PILE	
	File Number		
	MSHA ID Number		
Inspection Date	9/24/99		
Inspected By	VICKY BAILEY		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	QUARTERLY		
	Attachments to Report? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		
Field Evaluation			
1. Foundation preparation, including the removal of all organic material and topsoil. NO ORGANIC MATERIAL OR SOIL ASSOCIATED WITH THE PILE.			
2. Placement of underdrains and protective filter systems. PILE DRAINS DIRECTLY TO THE SEDIMENT POND.			
3. Installation of final surface drainage systems. REFER TO ITEM 2.			
4. Placement and compaction of fill materials. THE MATERIAL IS COMPACTED BY A DOZER AS IT IS PLACED.			
5. Final grading and revegetation of fill. NO FINAL GRADING OR REVEGETATION OF THIS SITE DUE TO IT'S TEMPORARY NATURE.			
6. Appearances of instability, structural weakness, and other hazardous conditions. THE HEIGHT IS THE ONLY CONDITION WHICH COULD BE CONSIDERED TO BE HAZARDOUS, HOWEVER THE PILE APPEARS STABLE.			
7. Other Comments. Describe any changes in the geometry of the Excess Spoil/Refuse Pile structure, instrumentation, average and maximum lifts of materials placed in the pile, elevations of active benches, total and remaining storage capacity of the structure, evidence of fires in the pile and abatement of such fires, volumes of materials placed in the structure during the year, and any other aspect of the structure affecting its stability or function which has occurred during the reporting period. THIS IS A TEMPORARY PILE.			



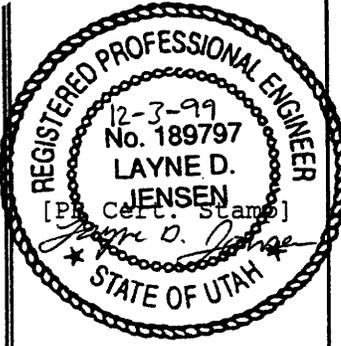
4TH QUARTER (ANNUAL) POND INSPECTIONS

330 East 400 South, Ste. 6, P.O. Box 337, Springville, Utah 84663
(801) 489-6937, (fax) 489-6779

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Page 1 of 6	
Permit Number	ACT 007/012	Report Date	11/30/99
Mine Name	Wellington Prep Plant		
Company Name	Covol Technologies, Inc.		
Impoundment Identification	Impoundment Name	Lower Refuse Pond	
	Impoundment Number	NA	
	UPDES Permit Number	NA	
	MSHA ID Number	1211-UT-19-00099-03	
IMPOUNDMENT INSPECTION			
Inspection Date	11/23/99		
Inspected By	Layne D. Jensen		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Quarterly		
<p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>No evidence of instability or structural weakness.</p>			
Required for an impoundment which functions as a SEDIMENTATION POND.	<p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment.</p> <p>Runoff from the site reports to this pond. However, since product is being extracted from this pond, this pond acts as both a process and a sediment pond.</p>		
	<p>3. Principle and emergency spillway elevations.</p> <p>No discharge expected from this pond.</p>		
<p>4. Field Information. Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.</p> <p>Some water is ponded where product has been extracted but the water level is over 5'^{ft} below the level of the undisturbed product, well below the discharge elevation. No samples taken. Operations have been suspended. Minor erosion noted on the embankments.</p>			
<p>5. Field Evaluation. Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.</p> <p>The embankment and impoundment structure have not been modified other than possible extraction of product. Water level was not measured. No aspect of the impounding structure that would affect it's stability or function was observed.</p>			

Certification Statement:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.



By: Layne D. Jensen, Environmental Eng
(Full Name and Title)

Signature: Layne D. Jensen Date: 12-3-99

P.E. Number & State: 189797, Utah

Permit Number	ACT 007/012	Report Date	11/30/99
Mine Name	Wellington Prep Plant		
Company Name	Covol Technologies, Inc.		
Impoundment Identification	Impoundment Name	Clear Water Pond	
	Impoundment Number	NA	
	UPDES Permit Number	NA	
	MSHA ID Number	1211-UT-09-00099-02	

IMPOUNDMENT INSPECTION

Inspection Date	11/23/99		
Inspected By	Layne D. Jensen		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Quarterly		

1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.

No evidence of instability or structural weakness.

Required for an impoundment which functions as a SEDIMENTATION POND.	2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment. Not a sediment pond.
	3. Principle and emergency spillway elevations. NA

4. **Field Information.** Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on out slopes of embankments, etc.

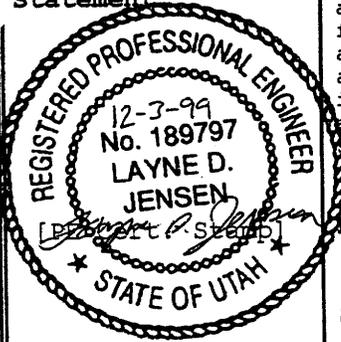
Water level is approximately 10 feet below the high water level mark, which is well below the outlet elevation. No discharge is occurring and no samples were taken. Inlet and outlet are stable. Minor erosion features noted on embankment. Vegetation and riprap are OK.

5. **Field Evaluation.** Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

I did not observe any modifications to the impoundment. Since the last inspection the water level has gone down at least 7 feet. Any sediment accumulation was still below the water level. No aspect of the impounding structure that would affect it's stability or function was observed.

Certification Statement:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.



By: Layne D. Jensen, Environmental Engineer
(Full Name and Title)

Signature: Layne D. Jensen Date: 12-3-99

P.E. Number & State: 189797, Utah

Permit Number	ACT 007/012	Report Date	11/30/99
Mine Name	Wellington Prep Plant		
Company Name	Covol Technologies, Inc.		
Impoundment Identification	Impoundment Name	Upper Refuse Pond	
	Impoundment Number	NA	
	UPDES Permit Number	NA	
	MSHA ID Number	1211-UT-09-00099-04	

IMPOUNDMENT INSPECTION

Inspection Date	11/23/99		
Inspected By	Layne D. Jensen		
Reason for Inspection (Annual, Quarterly or Other Periodic Inspection, Critical Installation, or Completion of Construction)	Quarterly		

1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.

No evidence of instability or structural weakness.

Required for an impoundment which functions as a SEDIMENTATION POND.	2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and, estimated average elevation of existing sediment. Not designed to serve only as a sediment pond.
	3. Principle and emergency spillway elevations. NA

4. **Field Information.** Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions, or other related activities associated with the pond including but not limited to sediment cleanout, pond decanting, embankment erosion/repairs, monitoring information, vegetation on out slopes of embankments, etc.

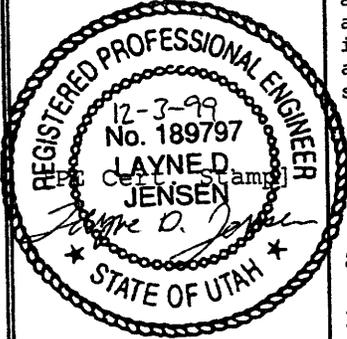
The upper pond is dry. Minor erosion around outlet structure but otherwise no problems were noted. No samples.

5. **Field Evaluation.** Describe any changes in the geometry of the impounding structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

No changes to the impoundment, no ponded water. No aspects of the impounding structures that could affect it's stability or function.

Certification Statement:

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability in accordance with the Utah R645 Coal Mining Rules.



By: Layne D. Jensen, Environmental Engineer.
 (Full Name and Title)

Signature: Layne D. Jensen Date: 12-3-99

P.E. Number & State: 189797, Utah

**WELLINGTON PLANT
1999 ANNUAL POND INSPECTION REPORT**

POND: Roadside Pond **LOCATION:** Castle Valley Resources

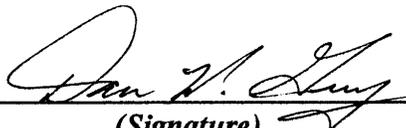
IMPOUNDMENTS	
(1) Stability	Slopes Stable. Incised Pond
(2) Structural Weakness/Erosion	None Noted.
(3) Potential Safety Hazards	None Noted.
(4) Depth of Impounded Water	N/A - Dry.
(5) Existing Storage Capacity	0.303 acre feet.
(6) Monitoring Procedures	Quarterly Inspection.

SEDIMENT PONDS ONLY	
(7) Sediment Accumulation (Elevation)	5334.2
(8) Sediment Cleanout Level (Elevation)	5337.0
(9) Principle Spillway (Elevation)	5337.0
(10) Emergency Spillway (Elevation)	5337.0
(11) Existing Sediment Capacity (To Cleanout)	0.303 acre feet.

GENERAL	
(12) Comments/Recommendations	Flows to Auxillary Pond to Dryer Pond. Cleaned in 1998

STATEMENT

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.



 (Signature)

10/19/99

 (Date)



**WELLINGTON PLANT
1999 ANNUAL POND INSPECTION REPORT**

POND: Auxillary Pond LOCATION: Castle Valley Resources

IMPOUNDMENTS	
(1) Stability	Slopes Stable. Incised Pond.
(2) Structural Weakness/Erosion	None Noted.
(3) Potential Safety Hazards	None Noted.
(4) Depth of Impounded Water	N/A - Dry.
(5) Existing Storage Capacity	1.482 acre feet.
(6) Monitoring Procedures	Quarterly Inspection.

SEDIMENT PONDS ONLY	
(7) Sediment Accumulation (Elevation)	5334.5
(8) Sediment Cleanout Level (Elevation)	5336.6
(9) Principle Spillway (Elevation)	5340.0
(10) Emergency Spillway (Elevation)	5340.0
(11) Existing Sediment Capacity (To Cleanout)	0.123 acre feet.

GENERAL	
(12) Comments/Recommendations	Pond cleaned in 1998.

STATEMENT

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.



(Signature)

10/19/99

(Date)



**WELLINGTON PLANT
1999 ANNUAL POND INSPECTION REPORT**

POND: Loadout Sediment Pond **LOCATION:** Castle Valley Resources

IMPOUNDMENTS	
(1) Stability	Slopes Stable. Mostly Incised.
(2) Structural Weakness/Erosion	None Noted. Minor on NW end and South.
(3) Potential Safety Hazards	None Noted.
(4) Depth of Impounded Water	N/A - Dry.
(5) Existing Storage Capacity	1.986 acre feet.
(6) Monitoring Procedures	Quarterly Inspection. U.P.D.E.S.

SEDIMENT PONDS ONLY	
(7) Sediment Accumulation (Elevation)	*5335.5
(8) Sediment Cleanout Level (Elevation)	5335.8
(9) Principle Spillway (Elevation)	5338.4
(10) Emergency Spillway (Elevation)	5339.5
(11) Existing Sediment Capacity (To Cleanout)	0.13 acre feet

GENERAL	
(12) Comments/Recommendations	* Average Sediment elevation. Pond O.K.

STATEMENT

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.



(Signature)

10/19/99

(Date)



**WELLINGTON PLANT
1999 ANNUAL POND INSPECTION REPORT**

POND: Pipeline Pond **LOCATION:** Castle Valley Resources

IMPOUNDMENTS	
(1) Stability	Slopes Stable. Mostly Incised.
(2) Structural Weakness/Erosion	None Noted.
(3) Potential Safety Hazards	None Noted.
(4) Depth of Impounded Water	N/A - Dry
(5) Existing Storage Capacity	0.96 acre feet.
(6) Monitoring Procedures	Quarterly Inspection. U.P.D.E.S.

SEDIMENT PONDS ONLY	
(7) Sediment Accumulation (Elevation)	5355.4
(8) Sediment Cleanout Level (Elevation)	5358.0
(9) Principle Spillway (Elevation)	5362.6
(10) Emergency Spillway (Elevation)	5362.6
(11) Existing Sediment Capacity (To Cleanout)	0.25 acre feet

GENERAL	
(12) Comments/Recommendations	Pond O.K. Vegetated.

STATEMENT

I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meets or exceeds the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

Dan W. Guy
(Signature)

10/19/99
(Date)

