



MT NEBO SCIENTIFIC, INC.
research & consulting

May 15, 2000

Pam Grubaugh-Littig
 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: 1st Quarter 2000 Wellington Plant (ACT/007/012)

Dear Ms. Grubaugh-Littig:

Enclosed you will find the following information for the 1st Quarter for both east (Covol) and west (NEICO) side's of the Price River at the Wellington Preparation Plant:

- Plant Refuse Pile Inspection
- Pond Refuse Pile Inspection
- Plant Sediment Pond Inspection
- Roadside Pond Inspection
- Auxiliary Pond Inspection
- Dryer Pond Inspection
- Pipeline Slurry Pond Inspection
- Lower Refuse Pond Inspection
- Clearwater Pond Inspection
- Upper Refuse Pond Inspection
- NPDES Monitoring Report Summary
- Electronic Water Sampling Data

Thanks for your patience and *please thank Ken Wyatt for his assistance* with the electronic water data. If you have additional questions or comments please contact me.

Sincerely,

Patrick D. Collins, Ph.D.

cc: D. Schwehr, NEICO (w/o enclosures)

Wellington Loadout Site

1st Quarter / 2000

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:
Sign - O.K. No erosion or other changes noted since last inspection.

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.

03/30/00

Date

Permit Number	ACT/007/012	Report Date	3/28/00
Mine Name	Wellington Prep Plant		
Company Name	Covol Technology, Inc.		
Excess Spoil Pile or Refuse Pile Identification	File Name	-	
	File Number	-	
	MSHA ID Number	-	
Inspection Date	3/24/00		
Inspected By	Layne D. Jensen, P.E.		

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 matter associated with the pile.
2. Placement of underdrains and protective filter systems.
N/A
3. Installation of final surface drainage systems.
Runoff from the refuse pile and surrounding areas drain to the lower refuse pond. Runoff will not leave the site.
4. Placement and compaction of fill materials.
The storage area appears stable, with no conditions that present a hazard. There are some steep slopes on the pile from previous excavation. These slopes may unravel over time but they do not present a hazard since the height of the slope is limited and any slope failure would not impact any area outside of the refuse pile. No evidence of any slope failure was observed during the inspection.
5. Final grading and revegetation of fill.
Final grading and revegetation had not occurred at the time of the inspection
6. Appearances of instability, structural weakness, and other hazardous conditions.
See #4.

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.

No changes since the last inspection. The site has been idle since before the last inspection.

Certification Statement

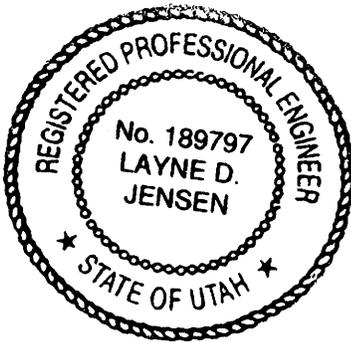
I hereby certify that; I am experienced in the construction of earth and rock fills; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure; that the fill structure 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 Eng.
(Full Name and Title)

Signature: Layne D. Jensen Date: 3-28-00

P.E. Number & State: 189797, UTAH



SEDIMENTATION POND INSPECTION REPORT

NEICO
Wellington Preparation Plant
1st Quarter
March 23, 2000

by
Patrick D. Collins

POND: Plant Sediment

EROSION PROBLEMS: Minor erosion only

INLET & OUTLET: o.k.

EMBANKMENT STABILITY: o.k.

WEATHER CONDITIONS: Partly-cloudy, ~ 50 °

WATER LEVEL: Dry

NOTES: NW side of inside pond could use some hand work with a shovel or some gravel when repairing other sites (not urgent).

POND: Roadside

EROSION PROBLEMS: Some slight to moderate erosional rills and gullies on south site of pond.

INLET & OUTLET: o.k.

EMBANKMENT STABILITY: o.k.

WEATHER CONDITIONS: Partly-cloudy, ~ 50 °

WATER LEVEL: dry

NOTES: Minor rills on inside banks (same as last quarter).

POND: Auxiliary

EROSION PROBLEMS: Negligible

INLET & OUTLET: o.k.

EMBANKMENT STABILITY: o.k.

WEATHER CONDITIONS: Partly-cloudy, ~ 50 °

WATER LEVEL: dry, except for 6-10 ft diameter standing water on south end that is about 4 inches deep.

NOTES: Could use some hand/shovel work to fill in rills near ground pipe at inlet.

POND: Dryer

EROSION PROBLEMS: Negligible

INLET & OUTLET: o.k.

EMBANKMENT STABILITY: o.k.

WEATHER CONDITIONS: Partly-cloudy, ~ 50 °

WATER LEVEL: dry

NOTES: On inside and outside banks, erosion was negligible. Vegetation in pond.

POND: Pipeline Slurry

EROSION PROBLEMS: None

INLET & OUTLET: o.k.

EMBANKMENT STABILITY: o.k.

WEATHER CONDITIONS: Partly-cloudy, ~ 50 °

WATER LEVEL: dry

NOTES: none

IMPOUNDMENT INSPECTION AND CERTIFIED REPORT		Page 1 of 6	
Permit Number	ACT 007/012	Report Date	3/27/00
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	3/24/00		
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' 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>			

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.

The embankment and impoundment structure have not been modified since the last inspection. Water level was not measured. No aspect of the impounding structure that would affect it's stability or function was observed.

Certification Statement:

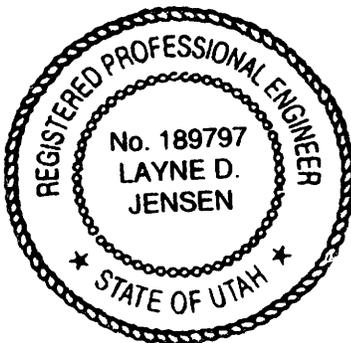
[PE Cert. Stamp]

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: 3-28-00

P.E. Number & State: 189797, UTAH



Permit Number	ACT 007/012	Report Date	3/27/00
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	3/24/00		
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 outslopes of embankments, etc.
 Water level is approximately 20 feet 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. 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:

[PE Cert. Stamp]

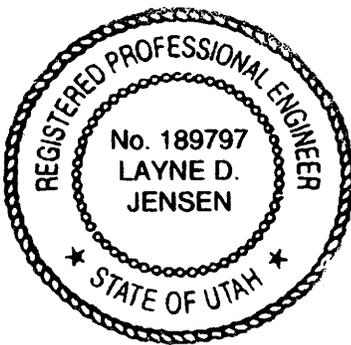
I hereby certify that; I am experienced in the construction of impoundments; I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained 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

(Full Name and Title)

Signature: Layne D. Jensen Date: 3-28-00

P.E. Number & State: 189797, UTAH



IMPOUNDMENT INSPECTION AND CERTIFIED REPORT

Permit Number	ACT 007/012	Report Date	3/27/00
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	3/24/00		
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 outslopes of embankments, etc.

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

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. No changes since the last inspection.

Certification Statement:

[PE Cert. Stamp]

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: 3-28-00

P.E. Number & State: 189797, UTAH

