



The State of Utah  
Department of  
Natural Resources  
Division of  
Oil, Gas & Mining

ROBERT L. MORGAN  
Executive Director

LOWELL P. BRAXTON  
Division Director

OLENE S. WALKER  
Governor

GAYLE F. McKEACHNIE  
Lieutenant Governor

**Representatives Present During the Inspection:**

OGM	Gregg Galecki	Environmental Scientist III
Company	Patrick D. Collins	Resident Agent

# Inspection Report

Permit Number:	C0070012
Inspection Type:	PARTIAL
Inspection Date:	Wednesday, October 27, 2004
Start Date/Time:	10/27/2004 10:00:00 AM
End Date/Time:	10/27/2004 1:30:00 PM
Last Inspection:	Wednesday, September 22, 2004

Inspector: Gregg Galecki, Environmental Scientist III

Weather: Cloudy, periods of steady rain, ~40 Deg. F.

InspectionID Report Number: 443

Accepted by: whedberg *OK*  
11/2/2004

Permittee: **NEVADA ELECTRIC INVESTMENT CO**  
Operator: **NEVADA ELECTRIC INVESTMENT CO**  
Site: **WELLINGTON PREPARATION PLANT**  
Address: **330 E 400 S STE 6, PO BOX 337 SPRINGVILLE UT 84663**  
County: **CARBON**  
Permit Type: **PERMANENT COAL PROGRAM**  
Permit Status: **ACTIVE**

**Current Acreages**

1,573.50	<b>Total Permitted</b>
392.00	<b>Total Disturbed</b>
	<b>Phase I</b>
	<b>Phase II</b>
	<b>Phase III</b>

**Mineral Ownership**

- Federal
- State
- County
- Fee
- Other

**Types of Operations**

- Underground
- Surface
- Loadout
- Processing
- Reprocessing

**Report summary and status for pending enforcement actions, permit conditions, Division Orders, and amendments:**

The Wellington area, as much of Utah has experienced unseasonable amounts of rain preceding the current inspection. In the 10-day period prior to the inspection, the Wellington/Price area received a total of 2.47-inches of rain. The precipitation was received in steady amounts and not localized thunderstorms. The Wellington/Price Utah, area normally receives 6-8 inches of precipitation annual.

Inspector's Signature

Gregg Galecki, Environmental Scientist III  
Inspector ID Number: 48

Date

Thursday, October 28, 2004

**Note:** This inspection report does not constitute an affidavit of compliance with the regulatory program of the Division of Oil, Gas and Mining.

**REVIEW OF PERMIT, PERFORMANCE STANDARDS PERMIT CONDITION REQUIREMENTS**

1. Substantiate the elements on this inspection by checking the appropriate performance standard.
  - a. For COMPLETE inspections provide narrative justification for any elements not fully inspected unless element is not appropriate to the site, in which case check Not Applicable.
  - b. For PARTIAL inspections check only the elements evaluated.
2. Document any noncompliance situation by reference the NOV issued at the appropriate performance standard listed below.
3. Reference any narratives written in conjunction with this inspection at the appropriate performance standard listed below.
4. Provide a brief status report for all pending enforcement actions, permit conditions, Divison Orders, and amendments.

	Evaluated	Not Applicable	Comment	Enforcement
1. Permits, Change, Transfer, Renewal, Sale	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Signs and Markers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Topsoil	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.a Hydrologic Balance: Diversions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.b Hydrologic Balance: Sediment Ponds and Impoundments	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.c Hydrologic Balance: Other Sediment Control Measures	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.d Hydrologic Balance: Water Monitoring	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.e Hydrologic Balance: Effluent Limitations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Explosives	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Disposal of Excess Spoil, Fills, Benches	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Coal Mine Waste, Refuse Piles, Impoundments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Noncoal Waste	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Protection of Fish, Wildlife and Related Environmental Issues	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Slides and Other Damage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Contemporaneous Reclamation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. Backfilling And Grading	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
13. Revegetation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Subsidence Control	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Cessation of Operations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.a Roads: Construction, Maintenance, Surfacing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.b Roads: Drainage Controls	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Other Transportation Facilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Support Facilities, Utility Installations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. AVS Check	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. Air Quality Permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. Bonding and Insurance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
22. Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**1. Permits, Change, Transfer, Renewal, Sale**

No new permit information has been submitted since the last inspection.

**3. Topsoil**

Extensive rains received in the 10 days prior to the inspection cause pooling and ultimate breaching of the berm surrounding the topsoil pile located adjacent to the Siaperas ditch. Upon breaching the berm, the water/soil covered approximately a 10 sq. yard area and can be recovered. Temporary hand-work repairs were completed on the berm for containment. Additional work will be conducted when the area dries sufficiently to get equipment into the area - approximately within the next week. No material was observed leaving the site. Photos in M:\FILES\COAL\PERMITS\007\0070012\IMAGES\10272004\DSCN0275 and DSCN02276 illustrate the breaching of the berm.

**4.a Hydrologic Balance: Diversions**

Diversions were spot-checked and found to be functioning as designed.

**4.b Hydrologic Balance: Sediment Ponds and Impoundments**

Some ponds were holding minimal amounts of water from recent rains. The ponds are typically dry. No discharges were noted.

**4.c Hydrologic Balance: Other Sediment Control Measures**

Silt fencing located along the south side of the Siaperas ditch are in need of repair. Recent rains likely caused failures of the streambank - located outside the permit area. The collapsing of the streambank caused sections the silt fencing to slough down the slope. No sheet flow of water was observed to indicate the silt fencing had failed. No sediment is leaving the site. Repairs to the silt fencing is anticipated to be completed within a week. The photo in M:\FILES\COAL\PERMITS\007\0070012\IMAGES\10272004\DSCN0277 illustrate the sloughing of the streambank.

### **11. Contemporaneous Reclamation**

The pumphouse structure that was removed in June 2004 was decided to be reclaimed while the equipment contractor was on site. Work was being initiated during the inspection and should be complete within two days. Steel located on site, including the bridge will be removed from site. The concrete from the pumphouse, the concrete ditch leading from the pumphouse to the river, and the concrete ramp leading into the river will be demolished and buried beneath 4-ft of cover. A portion of the demolished concrete structures will be used as riprap to armor the portion of the river bank disturbed by the removal of the bridge, ditch, and ramp. These reclamation decisions were discussed in the field with the Resident Agent (Mr. Collins), the equipment operators, and Division Inspection (Mr. Galecki). The field decisions were made so demolition and reclamation of the pumphouse area could be completed while the equipment operator was still on site. Mr. Collins has acknowledged that if reclamation is not up to Regulatory Standards, that additional work may be needed in the future - although not anticipated. The photo in M:\FILES\COAL\PERMITS\007\0070012\IMAGES\10272004\DSCN0295 illustrates the portion of the streambank to be armored.

### **12. Backfilling And Grading**

The Covol facilities area located on the east side of the property, that has been disassembled was backfilled and graded since the last inspection. Burial of concrete from the facilities and re-grading of the slope was conducted. The photos attached illustrate the excellent regrading that was conducted.