



State of Utah

Department of Natural Resources

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas & Mining

JOHN R. BAZA
Division Director

JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

Representatives Present During the Inspection:	
Company	Patrick D. Collins Resident Agent
OGM	Steve Demczak Environmental Scientist III

Inspection Report

Permit Number:	C0070012
Inspection Type:	COMPLETE
Inspection Date:	Friday, December 15, 2006
Start Date/Time:	12/15/2006 9:00:00 AM
End Date/Time:	12/15/2006 3:00:00 PM
Last Inspection:	Thursday, November 16, 2006

Inspector: Steve Demczak, Environmental Scientist III

Weather: Cold, Windy, 20's

InspectionID Report Number: 1173

Accepted by: pgrubaug *OK*

12/20/2006

Permitee: **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	Total Permitted
392.00	Total Disturbed
	Phase I
	Phase II
	Phase III

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:

Inspector's Signature: _____

Steve Demczak
Steve Demczak, Environmental Scientist III

Inspector ID Number: 39

Date Wednesday, December 20, 2006

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

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Inspection Continuation Sheet

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Topsoil	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.e Hydrologic Balance: Effluent Limitations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Coal Mine Waste, Refuse Piles, Impoundments	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Noncoal Waste	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Protection of Fish, Wildlife and Related Environmental Issues	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Slides and Other Damage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Contemporaneous Reclamation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Backfilling And Grading	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Revegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Subsidence Control	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Cessation of Operations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16.a Roads: Construction, Maintenance, Surfacing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.b Roads: Drainage Controls	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Other Transportation Facilities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Support Facilities, Utility Installations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. AVS Check	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. Air Quality Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. Bonding and Insurance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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

The permittee has submitted an amendment to update the Mining and Reclamation Plan as required by Notice of Violation N06-39-1-1. This is scheduled to be reviewed by January 5, 2007.

2. Signs and Markers

The permittee has updated the identification signs to reflect the same telephone number on all signs.

4.a Hydrologic Balance: Diversions

The undisturbed diversion on the Westside will need to be graded once the diversion is dried out. The diversion has depression within and is muddy in several areas. The diversion is not to be graded where water will flow. Diversions C-19 and C-26 on map F9-177 will need to be cleaned out or amend the MRP if culverts are not needed. One culvert could have been used during the processing of coal; therefore, plan could be amended.

4.b Hydrologic Balance: Sediment Ponds and Impoundments

The sediment ponds were inspected with no hazardous conditions noticed during the inspection. The permittee has received permission from MSHA to conduct inspections on a monthly basis instead of weekly for the upper and lower coal fines ponds. DOGM inspector will honor this change since our regulation is to address MSHA concerns.

4.c Hydrologic Balance: Other Sediment Control Measures

Sediment control measures were spot checked and were functioning as designed.

4.d Hydrologic Balance: Water Monitoring

The permittee is in the process of taking fourth quarter water monitoring water samples. Third quarter is entered into the EDS.

4.e Hydrologic Balance: Effluent Limitations

No discharge has occurred for the third quarter.

7. Coal Mine Waste, Refuse Piles, Impoundments

The refuse pile was inspected with no hazardous conditions noticed during the inspection. The permittee has conducted a third quarter refuse pile inspection. This document is P.E. certified.

8. Noncoal Waste

The site has some non-coal waste material. Trash needs to be removed.

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15. Cessation of Operations

The site is inactive.

18. Support Facilities, Utility Installations

No construction has taken place since the last inspection.

21. Bonding and Insurance

The insurance will expire on 2/9/2007. There is a \$500 deductible on this policy. The Resident Agent will have this changed in February.