



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 Pete Hess Environmental Scientist III

Inspection Report

Permit Number:	C0070012
Inspection Type:	PARTIAL
Inspection Date:	Wednesday, February 28, 2007
Start Date/Time:	2/28/2007 10:00:00 AM
End Date/Time:	2/28/2007 12:00:00 PM
Last Inspection:	Tuesday, January 16, 2007

Inspector: Pete Hess, Environmental Scientist III

Weather: High stratified clouds; breezy; 30's to 40's F.

InspectionID Report Number: 1227

Accepted by: whedberg

3/7/2007

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	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:

The Permittee is current relative to the required electronic submittal of water monitoring data. The 4th Quarter 2006 surface and ground water monitoring information for the Wellington permit area is due March 31, 2007.

There are no compliance actions pending for the Wellington permit area.

Inspector's Signature: _____

Pete Hess

Date Wednesday, February 28, 2007

Pete Hess, Environmental Scientist III

Inspector ID Number: 46

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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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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Signs and Markers	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Coal Mine Waste, Refuse Piles, Impoundments	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Noncoal Waste	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Contemporaneous Reclamation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Backfilling And Grading	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Revegetation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Subsidence Control	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 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 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

3. Topsoil

Topsoil stockpile #3, which is located SSW of the coal refuse pile (wash plant building facilities area) needs to have about sixty feet of the retention berm re-defined on the west side of the pile. Mr. Collins agreed to have this work done. All topsoil piles are alternate sediment control areas which utilize total retention as the treatment. The topsoil storage sign was in place, as required.

4.a Hydrologic Balance: Diversions

The undisturbed ditch which parallels the disturbed area perimeter on the SW edge of this site was inspected, as this area had been identified in a previous inspection report as a problem area. The Permittee submitted a proposed revision to the mining and reclamation plan in November 2006 which clarified the required maintenance plan for ditch UD-1A. UD-1A flows from NW to SE terminating at or near the east end of the coal refuse facility. The Division approved the revision to the maintenance plan for UD-1A in January 2007.

4.b Hydrologic Balance: Sediment Ponds and Impoundments

The dryer pond, which is located adjacent to the junction of the main plant building and the slurry pipeline (both facilities now dismantled) contained water to the level that equilibrium has been reached at the culvert identified as C24 (48-inch diameter corrugated pipe)(See drawing #F9-177, 1 of 2 from the MRP). The pond contains a great deal of what appears to be cat-tail vegetation, and is one of the few sources of water for wildlife in the area. The clearwater pond, which is located adjacent to the Farnham County road, only contains a small amount of water, which is indicative of the dry winter which SE Utah has experienced to date. Both the upper and lower refuse ponds were observed to be dry.

16.a Roads: Construction, Maintenance, Surfacing

The Permittee has recently had many of the roads at this site graded to repair areas where access had been difficult due to the erosive action of precipitation events. These include the access around the clear water pond, the roads on the impounding embankments of the upper and lower refuse ponds, and the road accessing the SE corner of the property along the rail spurs.

21. Bonding and Insurance

The Permittee provided renewal information for the general liability insurance requirements to the DOGM on February 1, 2007 for the Wellington site. Coverage amounts for each occurrence and general aggregate limits both amount to \$1,000,000. Coverage for damage incurred from the use of explosives is provided, although there are no explosive or detonator storage magazines at this site. The requirements of the R645 Coal Mining Rules relative to the terms of the cancellation clause appear to be adequately addressed.

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Inspection Continuation Sheet

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22. Other

Mr. Delynn Fielding, Carbon Economic Development Director, recently visited the Price Field Office in order to discuss the Wellington site. It appears that there may be some interest in developing an ethanol site on the SW side of the railroad tracks. It is not known what the intensity of this proposal is at the current time.