

0015

From: Steve Demczak
To: Angela Nance; Patrick Collins
Date: 12/7/2009 11:18 AM
Subject: Nov. Insp. Report
Attachments: 20091207113324.pdf

Outgoing
0070012
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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:	Wednesday, November 04, 2009
Start Date/Time:	11/4/2009 10:00:00 AM
End Date/Time:	11/4/2009 3:00:00 PM
Last Inspection:	Tuesday, August 25, 2009

Inspector: Steve Demczak, Environmental Scientist III

Weather: Sunny, 50's

InspectionID Report Number: 2193

Accepted by: jhelfric
12/7/2009

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:

No violations were issued.

Permittee has received approval to conduct slurry pond inspections on a monthly basis instead of weekly from MSHA.

Inspector's Signature: *Steve Demczak*
 Steve Demczak, Environmental Scientist III
 Inspector ID Number: 39

Date Wednesday, November 18, 2009

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

1594 West North Temple, Suite 1210, PO Box 145801, Salt Lake City, UT 84114-5801
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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 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 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 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 type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
11. Contemporaneous Reclamation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Backfilling And Grading	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" 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 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 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 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 Mining and Reclamation Permit will expire on December 10, 2009. The permittee has received a new UPDES Permit #UTG040010. This permit will expire on April 30, 2013. AIR Quality Permit is DAQE-92.

2. Signs and Markers

Identification signs are posted at the gates to the property. Information meets the requirements of the R645 Coal Rules.

3. Topsoil

The topsoil pile shows no signs of wind or water erosion.

4.a Hydrologic Balance: Diversions

The diversions were spot-check and meet the requirements of the R645 Coal Rules.

4.b Hydrologic Balance: Sediment Ponds and Impoundments

Sediment ponds were inspected on Aug 24, 2009 with no hazardous conditions were documented. The report is P.E. certified. I inspected the sediment ponds and did not see any hazardous conditions. The MSHA monthly inspection were taken and no hazardous condition reported.

4.c Hydrologic Balance: Other Sediment Control Measures

Several areas throughout the property have new silt fences installed.

4.d Hydrologic Balance: Water Monitoring

Second quarter water data was submitted to the Division.

4.e Hydrologic Balance: Effluent Limitations

There was no discharge for the third quarter.

7. Coal Mine Waste, Refuse Piles, Impoundments

The refuse pile was inspected on Sept. 30, 2009. The document is P.E. certified. No hazardous conditions were reported.

10. Slides and Other Damage

No slides or other damage was noticed during the inspection.

21. Bonding and Insurance

The insurance policy will expire on Feb 9, 2010. The policy is afforded by Colony Ins. Co.. The insurance accord form was reviewed and meets Division requirements. The bonding amount is \$5,153,000.