

0003



MT NEBO SCIENTIFIC, INC.
research & consulting

COPY

March 24, 2010

STATE OF UTAH
Division of Oil, Gas & Mining
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, Utah 84114-5801

ATTN.: Utah Coal Regulatory Program

RE: ANNUAL REPORT - 2009
Wellington Preparation Plant (C/007/012)

Dear Coal Staff:

Please find two (2) bound copies of the 2009 Annual Report for the Wellington Preparation Plant.

Please contact me anytime with your questions or comments.

Sincerely,

Patrick D. Collins, Ph.D.
Resident Agent/Environmental Consultant

cc: T. Garcia

File in:

- Confidential
- Shelf
- Expandable

Refer to Record No. 0003 Date 03242010

In C 00700122010, Incoming

For additional information

RECEIVED

MAR 29 2010

DIV. OF OIL, GAS & MINING

WELLINGTON PREPARATION PLANT

C/007/012

ANNUAL REPORT 2009

March 30, 2010

PERMITTEE:

NEICO

6226 West Sahara Ave.
Las Vegas, Nevada 89146

MT. NEBO SCIENTIFIC, INC.

Research & Consulting

330 East 400 South, Suite 6

P.O. Box 337

Springville, Utah 84663



WELLINGTON PREPARATION PLANT

C/007/012

ANNUAL REPORT
2009

March 30, 2010

PERMITTEE:

NEICO
6226 West Sahara Ave.
Las Vegas, Nevada 89146

MT. NEBO SCIENTIFIC, INC.
Research & Consulting
330 East 400 South, Suite 6
P.O. Box 337
Springville, Utah 84663



This Annual Report shows information the Division has for your mine. Please review the information to see if it is current. If the information needs to be updated please do so in this document. At the end of each section the operator is asked to verify if the information is correct. Please answer these questions and make all comments on this document. Submit the completed document and any additional information identified in the Appendices to the Division by April 30, 2010. During a complete inspection an inspector will check and verify the information. To enter text, click in the cell and type your response. You can use the tab key to move from one field to the next. To enter an X in a box, click next to the box, right click, and select properties, then the checked circle, then hit enter, or hit the unchecked circle if the X is to be removed.

GENERAL INFORMATION

Permittee Name	Nevada Electric Investment Company (NEICO).
Mine Name	Wellington Preparation Plant
Operator Name (If other than permittee)	
Permit Expiration Date	December 9, 2014
Permit Number	C/007/0012
Authorized Representative Title	Patrick Collins, Resident Agent
Phone Number	(801)489-6937
Fax Number	(801)489-6779
E-mail Address	mt.nebo@xmission.com
Mailing Address	NEICO (Nevada Power), 6556 W. Sahara Ave., Las Vegas NV 89151
Designated Representative	Patrick D. Collins, Ph.D.
Resident Agent	Patrick D. Collins, Ph.D.
Resident Agent Mailing Address	P. O. Box 337, Springville, UT 84663
Number of Binders Submitted	2

IDENTIFICATION OF OTHER PERMITS

Identify other permits that are required in conjunction with mining and reclamation activities.

Permit Type	ID Number	Description	Expiration Date
MSHA Mine ID(s)	1211-UT-09-00099-01	Plant Refuse Pile	N/A
	1211-UT-09-00099-05	Pond Refuse Pile	N/A
MSHA Impoundment(s)	1211-UT-09-00099-02	Clearwater Pond	N/A
	1211-UT-09-00099-03	Lower Slurry (Refuse) Pond	N/A
	1211-UT-09-00099-04	Upper Slurry (Refuse) Pond	N/A
NPDES/UPDES Permit(s)	UTG040010	General/Industrial	30 April 2013
PSD Permit(s) (Air)	DAQE 997-992	AO-Air Quality	N/A
Other			

Operator, please update any incorrect information.

CERTIFIED REPORTS

List the certified inspection reports as required by the rules and under the approved plan that must be periodically submitted to the Division. Specify whether the information is included as Appendix A to this report or currently on file with the Division.

Certified Reports:	Required		Included Included	or	DOGM file location Vol, Chapter, Page
	Yes	No			
Excess Spoil Piles	<input type="checkbox"/>	X	<input type="checkbox"/>		
Refuse Piles	X	<input type="checkbox"/>	X		
Impoundments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Other					
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

Operator Comments:

Inspector:

Has the operator complied with this section? Yes No

Inspector Comments:

This section is complete.

COMMITMENTS AND CONDITIONS

The Permittee is responsible for ensuring annual technical commitments in the MRP and conditions accepted with the permit are completed throughout the year. The Division has identified these commitments below and has provided space for you to report what you have done during the past year for each commitment. If the particular section is blank, no commitment has been identified and no response is required for this report. If additional written response is required, it should be filed under Appendix B to this report.

Admin R645-301-100
Soils R645-301-200
Biology R645-301-300
Landuse, Cultural Resources, Air Quality R645-301- 400
Engineering R645-301-500
Geology R645-301-600

Hydrology R645-301-700	
Bonding & Insurance R645-301-800	
Other Commitments	

*Reminder: If equipment has been abandoned during 2009, an amendment must be submitted that includes a map showing its location, a description of what was abandoned, whether there were any hazardous or toxic materials and any revision to the PHC as necessary.

REPORTING OF OTHER TECHNICAL DATA

List other technical data and information as required under the approved plan, which must be periodically submitted to the Division. Specify whether the information is included as Appendix B to this report or currently on file with the Division.

Operator Comments:

Inspector:

Was the operator complied with this section? Yes No

Inspector Comments:

LEGAL, FINANCIAL, COMPLIANCE AND RELATED INFORMATION

Change in administration or corporate structure can often bring about necessary changes to information found in the mining and reclamation plan. The Division is Requesting that each permittee review and update the legal, financial, compliance and related information in the plan as part of the annual report. Please provide the Department of Commerce, Annual Report of Officers, or other equivalent information as necessary to ensure that the information provided in the plan is current. Provide any other change as necessary regarding land ownership, lease acquisitions, legal results from appeals of violations, or other changes as necessary to update information required in the mining and reclamation plan. Include certified financial statements, audits or worksheets, which may be required to meet bonding requirements. Specify whether the information is currently on file with the Division or included as Appendix C to the report.

Legal / Financial Update **Required** **Included** **or** **DOGM File location**
 Yes No Included Vol, Chapter, Page

Department of Commerce, Annual Report Officers	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This was recently done for the annual report and does not need and update.
Other			
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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MAPS

Copies of mine maps, current and up-to-date through at least December 31, 2009, are to be provided to the Division as Appendix D to this report in accordance with the requirements of R 645-301-525.240. The map copies shall be made in accordance with 30 CFR 75.1200 as required by MSHA. Mine maps are not considered confidential. (Please provide a CD.)

Confidential information is limited to:

R645-300-124.310. Information that pertains only to the analysis of the chemical and physical properties of the coal to be mined, except information on components of such coal which are potentially toxic in the environment.

R645-300-124.330. Information on the nature and location of archeological resources on public land and Indian land as required under the Archeological Resources Protection Act of 1979 (P. L. 96-95, 93 Stat. 721, 16 U.S.C. 470).

R645-301-322, Fish and Wildlife Information; R645-301-322.100, the scope and level of detail for such information will be determined by the Division in consultation with state and federal agencies with responsibilities for fish and wildlife and will be sufficient to design the protection and enhancement plan required under R645-301-333 and R645-301-322.230, other species or habitats identified through agency consultation as requiring special protection under state or federal law; R645-301-333.300, Include protective measures that will be used during the active mining phase of operation.

The Division will provide procedures, including notice and opportunity to be heard for persons both seeking and opposing disclosure.

Map Number(s)	Map Title/ Description	Not Required	
		Yes	No
Annual subsidence map			
Mine map			
Other maps			
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>

Operator Comments:

Inspector:

Has the operator complied with this section? Yes No

Inspector Comments:

OTHER INFORMATION

APPENDIX A

Certified Reports

Refuse Piles
Impoundments

As required under R645-301-514

CONTENTS

REFUSE PILE INSPECTIONS

ANNUAL POND INSPECTIONS

INSPECTIONS: 2009

- Refuse Pile Inspection Reports -



NEICO
West Wellington Site

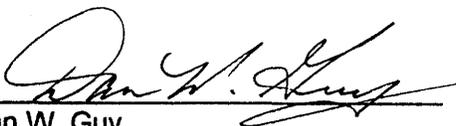
Coal Refuse Pile - Quarterly Report

Quarter	Year
1st	2009
Refuse Pile	
Plant Refuse Pile	

Site Name
Wellington Loadout Site
Pile I.D. #
1211-UT-09-00099-01

Water impounding against toe:	Dry. No water on top.
Fires on piles:	None.
Seepage, cracks, erosion problems or any other comments pertaining to the stability of the pile:	
Sign - OK. No erosion or other changes noted since last inspection.	

I have performed the above inspection on these refuse piles and do hereby certify it to be a true and accurate representation of the piles at this time.


Dan W. Guy
President
Blackhawk Engineering, Inc.

03/04/09
Date:



NEICO
East Wellington Site

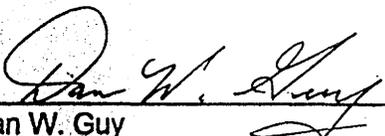
Coal Refuse Pile - Quarterly Report

Quarter	Year
1st	2009
Refuse Pile:	
Pond Refuse Pile	

Site Name:
Covol Plant - Wellington
PIE ID #
1211-UT-09-00099-05

Water impounding against toe:	N/A - Dry.
Fires on piles:	None.
Seepage, cracks, erosion problems or any other comments pertaining to the stability of the pile:	
Pile regraded to reduce slopes. Minor rilling on east regraded slope.	

I have performed the above inspection on these refuse piles and do hereby certify it to be a true and accurate representation of the piles at this time.


 Dan W. Guy
 President
 Blackhawk Engineering, Inc.

03/04/09
 Date:



**NEICO
West Wellington Site**

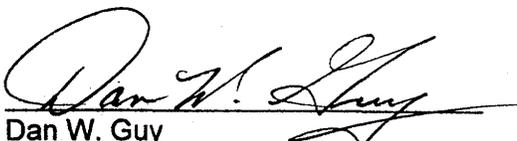
Coal Refuse Pile - Quarterly Report

Quarter	Year
2nd	2009
Refuse Pile	
Plant Refuse Pile	

Site Name:
Wellington Loadout Site
File ID #:
1211-UT-09-00099-01

Water impounding against toe:	Dry. No water on top.
Fires on piles:	None.
Seepage, cracks, erosion problems or any other comments pertaining to the stability of the pile:	
Sign - OK. No erosion or other changes noted since last inspection.	

I have performed the above inspection on these refuse piles and do hereby certify it to be a true and accurate representation of the piles at this time.


 Dan W. Guy
 President
 Blackhawk Engineering, Inc.



06/29/09
 Date: _____

**NEICO
East Wellington Site**

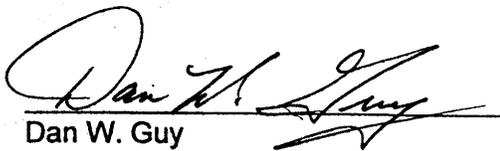
Coal Refuse Pile - Quarterly Report

Quarter	Year
2nd	2009
Refuse Pile	
Pond Refuse Pile	

Site Name
Covol Plant - Wellington
Pile ID #
1211-UT-09-00099-05

Water impounding against toe:	N/A - Dry.
Fires on piles:	None.
Seepage, cracks, erosion problems or any other comments pertaining to the stability of the pile:	
Pile regraded to reduce slopes. Minor rilling on east regraded slope.	

I have performed the above inspection on these refuse piles and do hereby certify it to be a true and accurate representation of the piles at this time.



Dan W. Guy
President
Blackhawk Engineering, Inc.

06/29/09

Date:



NEICO
West Wellington Site

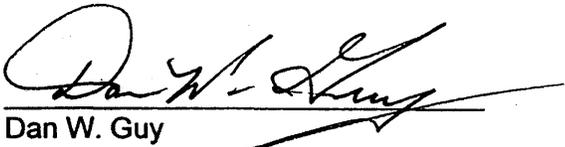
Coal Refuse Pile - Quarterly Report

Quarter	Year
3rd	2009
Refuse Pile	
Plant Refuse Pile	

Site Name
Wellington Loadout Site
Pile ID #
1211-UT-09-00099-01

Water impounding against toe:	Dry. No water on top.
Fires on piles:	None.
Seepage, cracks, erosion problems or any other comments pertaining to the stability of the pile:	
Sign - OK. No erosion or other changes noted since last inspection.	

I have performed the above inspection on these refuse piles and do hereby certify it to be a true and accurate representation of the piles at this time.


Dan W. Guy
President
Blackhawk Engineering, Inc.

09/30/09
Date:



**NEICO
East Wellington Site**

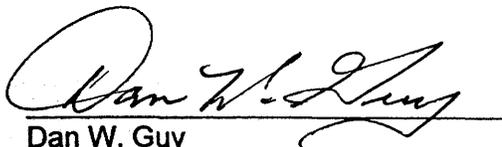
Coal Refuse Pile - Quarterly Report

Quarter	Year
3rd	2009
Refuse Pile:	
Pond Refuse Pile	

Site Name
Covol Plant - Wellington
File ID #
1211-UT-09-00099-05

Water impounding against toe:	N/A - Dry.
Fires on piles:	None.
Seepage, cracks, erosion problems or any other comments pertaining to the stability of the pile:	
Pile regraded to reduce slopes. Minor rilling on east regraded slope.	

I have performed the above inspection on these refuse piles and do hereby certify it to be a true and accurate representation of the piles at this time.


 Dan W. Guy
 President
 Blackhawk Engineering, Inc.

09/30/09

Date:



NEICO
West Wellington Site

Coal Refuse Pile - Quarterly Report

Quarter	Year
4th	2009
Refuse Pile	
Plant Refuse Pile	

Site Name
Wellington Loadout Site
Pile ID #
1211-UT-09-00099-01

Water impounding against toe:	Dry. No water on top.
Fires on piles:	None.
Seepage, cracks, erosion problems or any other comments pertaining to the stability of the pile:	
Sign - OK. No erosion or other changes noted since last inspection.	

I have performed the above inspection on these refuse piles and do hereby certify it to be a true and accurate representation of the piles at this time.


Dan W. Guy
President
Blackhawk Engineering, Inc.

11/23/09
Date:



**NEICO
East Wellington Site**

Coal Refuse Pile - Quarterly Report

Quarter	Year
4th	2009
Refuse Pile:	
Pond Refuse Pile	

Site Name:
Covol Plant - Wellington
Pile I.D. #
1211-UT-09-00099-05

Water impounding against toe:	N/A - Dry.
Fires on piles:	None.
Seepage, cracks, erosion problems or any other comments pertaining to the stability of the pile:	
Pile regraded to reduce slopes. Minor rilling on east regraded slope.	

I have performed the above inspection on these refuse piles and do hereby certify it to be a true and accurate representation of the piles at this time.


 Dan W. Guy
 President
 Blackhawk Engineering, Inc.

11/23/09

Date:



ANNUAL INSPECTIONS: 2009

- Impoundment Inspection Reports -



**WELLINGTON PLANT
2009 ANNUAL POND INSPECTION REPORT**

POND: Roadside Pond

LOCATION: Wellington Loadout Site

IMPOUNDMENTS	
(1) Stability	Slopes Stable. Incised Pond
(2) Structural Weakness/Erosion	Minor erosion on slopes near road inlet & west inlet.
(3) Potential Safety Hazards	None Noted.
(4) Depth of Impounded Water	N/A Dry.
(5) Existing Storage Capacity	0.421 acre feet.
(6) Monitoring Procedures	Quarterly Inspection.

SEDIMENT PONDS ONLY	
(7) Sediment Accumulation (Elevation)	5333.1
(8) Sediment Cleanout Level (Elevation)	5337.0
(9) Principle Spillway (Elevation)	5337.0
(10) Emergency Spillway (Elevation)	5337.0
(11) Existing Sediment Capacity (To Cleanout)	0.421 acre feet.

GENERAL	
(12) Comments/Recommendations	Flows to Auxillary Pond to Dryer Pond. Cleaned in 1998.

STATEMENT

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 meets or exceeds 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.



 (Signature)

11/23/09

 (Date)



**WELLINGTON PLANT
2009 ANNUAL POND INSPECTION REPORT**

POND: Auxillary Pond **LOCATION:** Wellington Loadout Site

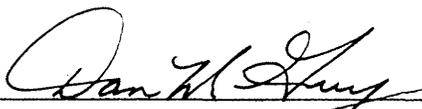
IMPOUNDMENTS	
(1) Stability	Slopes Stable. Incised Pond.
(2) Structural Weakness/Erosion	Minor Erosion on East Inlet.
(3) Potential Safety Hazards	None Noted.
(4) Depth of Impounded Water	Upper - Dry; Lower - Dry.
(5) Existing Storage Capacity	1.121 acre feet.
(6) Monitoring Procedures	Quarterly Inspection.

SEDIMENT PONDS ONLY	
(7) Sediment Accumulation (Elevation)	5335.0 (Avg.)
(8) Sediment Cleanout Level (Elevation)	5336.6
(9) Principle Spillway (Elevation)	5340.0
(10) Emergency Spillway (Elevation)	5340.0
(11) Existing Sediment Capacity (To Cleanout)	0.359 acre feet.

GENERAL	
(12) Comments/Recommendations	Pond cleaned in 1998.

STATEMENT

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 meets or exceeds 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.



 (Signature)

11/23/09

 (Date)



**WELLINGTON PLANT
2009 ANNUAL POND INSPECTION REPORT**

POND: Dryer Pond

LOCATION: Wellington Loadout Site

IMPOUNDMENTS	
(1) Stability	Slopes Stable. Incised Pond.
(2) Structural Weakness/Erosion	None Noted.
(3) Potential Safety Hazards	None Noted.
(4) Depth of Impounded Water	1.5' Water.
(5) Existing Storage Capacity	3.844 acre feet.
(6) Monitoring Procedures	Quarterly Inspection. U.P.D.E.S.

SEDIMENT PONDS ONLY	
(7) Sediment Accumulation (Elevation)	5329.3
(8) Sediment Cleanout Level (Elevation)	5330.3
(9) Principle Spillway (Elevation)	5336.9
(10) Emergency Spillway (Elevation)	5336.9
(11) Existing Sediment Capacity (To Cleanout)	0.236 acre feet

GENERAL	
(12) Comments/Recommendations	Open channel spillway installed in 1997. Culvert spillway eliminated. No Discharge. Note: Minor Inflow from Culvert on North Side.

STATEMENT

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 meets or exceeds 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.



(Signature)

11/23/09

(Date)



**WELLINGTON PLANT
2009 ANNUAL POND INSPECTION REPORT**

POND: *Loadout Sediment Pond*

LOCATION: *Wellington Loadout Site*

IMPOUNDMENTS	
(1) <i>Stability</i>	<i>Slopes Stable. Mostly Incised.</i>
(2) <i>Structural Weakness/Erosion</i>	<i>Minor erosion on South End, inside pond.</i>
(3) <i>Potential Safety Hazards</i>	<i>None Noted.</i>
(4) <i>Depth of Impounded Water</i>	<i>N/A - Dry.</i>
(5) <i>Existing Storage Capacity</i>	<i>1.936 acre feet.</i>
(6) <i>Monitoring Procedures</i>	<i>Quarterly Inspection. U.P.D.E.S.</i>

SEDIMENT PONDS ONLY	
(7) <i>Sediment Accumulation (Elevation)</i>	<i>*5335.4</i>
(8) <i>Sediment Cleanout Level (Elevation)</i>	<i>5335.8</i>
(9) <i>Principle Spillway (Elevation)</i>	<i>5338.4</i>
(10) <i>Emergency Spillway (Elevation)</i>	<i>5339.5</i>
(11) <i>Existing Sediment Capacity (To Cleanout)</i>	<i>0.148 acre feet</i>

GENERAL	
(12) <i>Comments/Recommendations</i>	<i>* Average Sediment elevation. Pond O.K.</i>

STATEMENT

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 meets or exceeds 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.



 (Signature)

11/23/09

 (Date)



**WELLINGTON PLANT
2009 ANNUAL POND INSPECTION REPORT**

POND: *Pipeline Pond*

LOCATION: *Wellington Loadout Site*

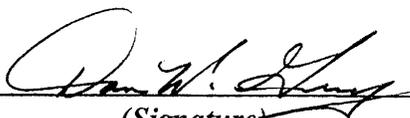
IMPOUNDMENTS	
(1) <i>Stability</i>	<i>Slopes Stable. Incised Pond</i>
(2) <i>Structural Weakness/Erosion</i>	<i>None Noted.</i>
(3) <i>Potential Safety Hazards</i>	<i>None Noted.</i>
(4) <i>Depth of Impounded Water</i>	<i>N/A Dry.</i>
(5) <i>Existing Storage Capacity</i>	<i>1.026 acre feet.</i>
(6) <i>Monitoring Procedures</i>	<i>Quarterly Inspection. U.P.D.E.S.</i>

SEDIMENT PONDS ONLY	
(7) <i>Sediment Accumulation (Elevation)</i>	<i>5354.2</i>
(8) <i>Sediment Cleanout Level (Elevation)</i>	<i>5358.0</i>
(9) <i>Principle Spillway (Elevation)</i>	<i>5362.6</i>
(10) <i>Emergency Spillway (Elevation)</i>	<i>5362.6</i>
(11) <i>Existing Sediment Capacity (To Cleanout)</i>	<i>0.307 acre feet.</i>

GENERAL	
(12) <i>Comments/Recommendations</i>	<i>Pond O.K. Vegetated.</i>

STATEMENT

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 meets or exceeds 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.



(Signature)

11/23/09

(Date)



**EAST NEICO - WELLINGTON SITE
2009 ANNUAL POND INSPECTION REPORT**

POND: Lower Refuse Pond LOCATION: Wellington Site

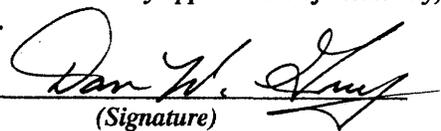
IMPOUNDMENTS		
(1) Changes in Geometry of Structure	N/A - None	
(2) Instrumentation	N/A - None	
(3)	Depth of Impounded Water (Minimum)	N/A - Dry
	Depth of Impounded Water (Maximum)	N/A - Dry
	Depth of Impounded Water (Present)	N/A - Dry
(4) Existing Storage Capacity	765.00 acre feet	
(5) Volume of Impounded Water	N/A - None	
(6) Any Changes Affecting Stability or Operation of the Structure	N/A - Dry	
(7) Stability	Slopes Stable	
(8) Structural Weakness/Erosion	None Noted	
(9) Potential Safety Hazards	None Noted	
(10) Monitoring Procedures	Quarterly/Annual Inspection	

SEDIMENT PONDS ONLY	
(11) Sediment Accumulation (Elevation)	5370.4 (Average)
(12) Sediment Cleanout Level (Elevation)	5372.0
(13) Principle Spillway (Elevation)	5382.7
(14) Emergency Spillway (Elevation)	5382.7
(15) Existing Sediment Capacity (To Cleanout)	53.72 acre feet

GENERAL	
(16) Comments/Recommendations	MSHA Pond. Ditch cut around perimeter 1211-UT-09-00099-03 & through middle.

STATEMENT

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 meets or exceeds 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.


(Signature)

11/23/09
(Date)



**EAST NEICO - WELLINGTON SITE
2009 ANNUAL POND INSPECTION REPORT**

POND: Upper Refuse Pond LOCATION: Wellington Site

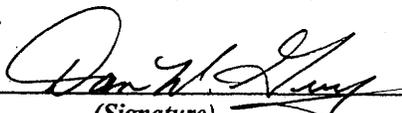
IMPOUNDMENTS		
(1) Changes in Geometry of Structure	N/A - None	
(2) Instrumentation	N/A - None	
(3)	Depth of Impounded Water (Minimum)	N/A - Dry
	Depth of Impounded Water (Maximum)	N/A - Dry
	Depth of Impounded Water (Present)	N/A - Dry
(4) Existing Storage Capacity	136.00 acre feet	
(5) Volume of Impounded Water	N/A - Dry	
(6) Any Changes Affecting Stability or Operation of the Structure	N/A - None	
(7) Stability	Slopes Stable	
(8) Structural Weakness/Erosion	None Noted	
(9) Potential Safety Hazards	None Noted	
(10) Monitoring Procedures	Quarterly/Annual Inspection	

SEDIMENT PONDS ONLY	
(11) Sediment Accumulation (Elevation)	N/A
(12) Sediment Cleanout Level (Elevation)	N/A
(13) Principle Spillway (Elevation)	N/A
(14) Emergency Spillway (Elevation)	N/A
(15) Existing Sediment Capacity (To Cleanout)	N/A

GENERAL	
(16) Comments/Recommendations	MSHA Pond. Divided into 3 Cells 1211-UT-09-00099-04 All - Dry.

STATEMENT

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 meets or exceeds 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.


(Signature)

11/23/09
(Date)



**EAST NEICO - WELLINGTON SITE
2009 ANNUAL POND INSPECTION REPORT**

POND: Clear Water Pond LOCATION: Wellington Site

IMPOUNDMENTS

(1) Changes in Geometry of Structure	N/A - None
(2) Instrumentation	N/A - None
(3) Depth of Impounded Water (Minimum)	N/A - Dry
Depth of Impounded Water (Maximum)	N/A - Dry
Depth of Impounded Water (Present)	N/A - Dry
(4) Existing Storage Capacity	240.30 acre feet
(5) Volume of Impounded Water	N/A - Dry
(6) Any Changes Affecting Stability or Operation of the Structure	N/A - None
(7) Stability	Slopes Stable
(8) Structural Weakness/Erosion	None Noted
(9) Potential Safety Hazards	None Noted
(10) Monitoring Procedures	Quarterly/Annual Inspection

SEDIMENT PONDS ONLY

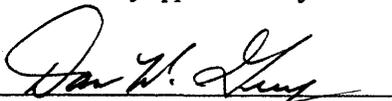
(11) Sediment Accumulation (Elevation)	N/A
(12) Sediment Cleanout Level (Elevation)	N/A
(13) Principle Spillway (Elevation)	N/A
(14) Emergency Spillway (Elevation)	N/A
(15) Existing Sediment Capacity (To Cleanout)	N/A

GENERAL

(16) Comments/Recommendations	MSHA Pond. 1211-UT-09-00099-02
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STATEMENT

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 meets or exceeds 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.


(Signature)

11/23/09
(Date)



APPENDIX B

Reporting of Technical Data

Including monitoring data, reports, maps, and other information
As required under the approved plan or as required by the Division

In accordance with the requirement of R645-310-130 and R645-301-140

CONTENTS

N/A

APPENDIX C

Legal Financial, Compliance and Related Information

Annual Report of Officers
As submitted to the Utah Department of Commerce

Other change in ownership and control information
As required under R645-301-110

CONTENTS

N/A

APPENDIX D

Mine Maps

As required under R645-302-525-270

CONTENTS

N/A

APPENDIX E

Other Information

In accordance with the requirements of R645-301 and R645-302

CONTENTS

N/A