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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*

# Inspection Report

Permit Number:	C0070012
Inspection Type:	COMPLETE
Inspection Date:	Thursday, November 04, 2010
Start Date/Time:	11/4/2010 10:00:00 AM
End Date/Time:	11/4/2010 4:00:00 PM
Last Inspection:	Tuesday, August 24, 2010

Representatives Present During the Inspection:	
Company	Patrick Collins
OGM	Steve Demczak

Inspector: Steve Demczak  
Weather: Sunny, Lower 50's  
InspectionID Report Number: 2558

Accepted by: jhelfric  
12/1/2010

Permittee: **NEVADA ELECTRIC INVESTMENT CO**  
Operator: **NEVADA ELECTRIC INVESTMENT CO**  
Site: **WELLINGTON PREPARATION PLANT**  
Address: **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:

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,  
Inspector ID Number: 39

Date Thursday, November 18, 2010

**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 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 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 checked="" 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 type="checkbox"/>	<input checked="" 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 checked="" 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, 2014. The permittee has received a new UPDES Permit #UTG040010. This permit will expire on April 30, 2013.

**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**

Diversions were spot-checked and would function during a storm event.

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

Sediment ponds were inspected by the permittee for the third quarter of 2010 on August 16th. There was no hazardous conditions reported in the report. The report is P.E. certified. This inspection is the annual sediment pond inspection. I inspected the sediment ponds and did not see any hazardous conditions. No sediment pond was discharging during the inspection.

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

The permittee has submitted an amendment to change sediment control measures next to the Siaperas ditch. The Division is reviewing the amendment.

**4.e Hydrologic Balance: Effluent Limitations**

There was no discharge for the third quarter of 2010.

**7. Coal Mine Waste, Refuse Piles, Impoundments**

The refuse piles were inspected by a P.E. on August 16, 2010. There was no hazardous conditions reported. No hazardous conditions were noticed during the inspection. The road around the slurry ponds was re-graded.

**8. Noncoal Waste**

The mine site was clear of non-coal waste materials.

**10. Slides and Other Damage**

No slides or other damage was noticed during the inspection.

**15. Cessation of Operations**

No activity is occurring at Wellington.

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**18. Support Facilities, Utility Installations**

There are no support facilities at Wellington.

**20. Air Quality Permit**

The Air Quality permit is DAQE-92.

**21. Bonding and Insurance**

The insurance policy will expire on Feb 9, 2011. 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.