



MT NEBO SCIENTIFIC, INC.
research & consulting

COPY

C0070012, Incoming

#3670

R

VIA: U.S. Priority Mail

December 30, 2010

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

RE: Final Changes to Sediment Control Methods in the Siaperas Ditch Area
Wellington Prep Plant, C/007/012, Task ID #3670

Dear Staff:

Enclosed please find four (4) "clean copies" of the approved amendment to the Wellington Prep Plant's Mining & Reclamation Plan (MRP). C1 and C2 forms have also been included herein.

Please call me if you have questions or comments.

Sincerely,

Patrick D. Collins, Ph.D.
Resident Agent

Enclosures

cc: T. Garcia (w/o enclosures)

File in:

- Confidential
- Shelf
- Expandable

In C/0070012 Incoming
Date: 01032011, For additional information

RECEIVED
JAN 03 2011
DIV. OF OIL, GAS & MINING

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change New Permit Renewal Exploration Bond Release Transfer

Permittee: NEICO

Mine: Wellington Prep Plant

Permit Number:

C/007/012

Title: Sediment Control Methods Change in the Siaperas Ditch Area

Description, Include reason for application and timing required to implement:

Application is due to maintenance issues with the silt fences. We would like to implement the change onsite immediately.

Instructions: If you answer yes to any of the first eight questions, this application may require Public Notice publication.

- 1. Change in the size of the Permit Area? Acres: _____ Disturbed Area: _____ increase decrease.
2. Is the application submitted as a result of a Division Order? DO# _____
3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?
4. Does the application include operations in hydrologic basins other than as currently approved?
5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?
6. Does the application require or include public notice publication?
7. Does the application require or include ownership, control, right-of-entry, or compliance information?
8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
9. Is the application submitted as a result of a Violation? NOV # _____
10. Is the application submitted as a result of other laws or regulations or policies?
Explain: _____

- 11. Does the application affect the surface landowner or change the post mining land use?
12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)
13. Does the application require or include collection and reporting of any baseline information?
14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
15. Does the application require or include soil removal, storage or placement?
16. Does the application require or include vegetation monitoring, removal or revegetation activities?
17. Does the application require or include construction, modification, or removal of surface facilities?
18. Does the application require or include water monitoring, sediment or drainage control measures?
19. Does the application require or include certified designs, maps or calculation?
20. Does the application require or include subsidence control or monitoring?
21. Have reclamation costs for bonding been provided?
22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?
23. Does the application affect permits issued by other agencies or permits issued to other entities?
24. Does the application include confidential information and is it clearly marked and separated in the plan?

Please attach three (3) review copies of the application. If the mine is on or adjacent to Forest Service land please submit four (4) copies, thank you. (These numbers include a copy for the Price Field Office)

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein

PATRICK COLLINS Res. Ag. 12/30/10 Patrick Collins
Print Name Position Date Signature (Right-click above choose certify then have notary sign below)

Subscribed and sworn to before me this 28 day of DEC. 2010

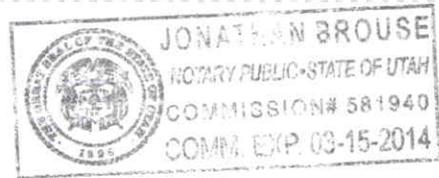
Notary Public: Jonathan Brouse, state of Utah.

My commission Expires: 3-15-2014

Commission Number: 581940

Address: 119 S. MAIN

City: SPRINGVILLE State: UT Zip: 84663



For Office Use Only:

Assigned Tracking Number:

Received by Oil, Gas & Mining



7.52 SEDIMENT CONTROL MEASURES (R645-301-752)

All sediment control measures except for the Alternative Sediment control Areas (ASCA's) have been addressed previously in Section 7.42. A discussion for the ASCA's follows.

There have been seven areas identified for ASCA's. These areas, numbered ASCA #1 through ASCA #7, are shown on Dwg. F9-177 (rev.). The disturbed acreage and estimated disturbed area runoff from the 10-year, 24-hour storm has been estimates and area shown in Volume II - Hydrology Appendix. These areas are not tributary to a sediment pond. Sediment control from these areas is achieved by berm, silt fences, bales and/or gouges in drainageways, as discussed in the Appendix.

A summary of the total Alternative Sediment Control areas is presented on the following table. The total area of the ASCA's is 80.16 acres which represents about 20% of the total disturbed site within the permit area.

ALTERNATIVE SEDIMENT CONTROL AREAS

(ASCA's)

ASCA #	AREA (acres)	DISTURBED AREA 10-Year 24-Hour Runoff Volume (Acre-Feet)	ALTERNATIVE SEDIMENT CONTROL
1	45.00	2.9	Depression storage and straw bales.
2	9.41	0.4	Silt fence and straw bales.
3	12.64	0.3	Silt fence.
4	7.80	0.04	Silt fence and/or straw bales.
5	2.47	0.1	Berm and silt fence.
6	0.35	0.02	Straw bales.
7	2.52	0.24	Berm around topsoils stockpile; remainder of area uses silt fences, straw bales, berms and/or gouges.
TOTAL	80.16	4.00	

A typical installation guide of silt fence and straw bale barrier is provided on the following sheets.

The Operator may also elect to excavate sediment traps at sediment control inlets and/or outlets. The minimum size for the sediment traps, if used by the Operator, shall be 2 feet by 2 feet by 6 inches deep.

As a means to control erosion near and around the Siaperas Ditch area at the Wellington site, silt fences, straw bales and/or gouges will be used. "Gouging" the ground surface is a method used to control runoff sediments and erosion as well as to harvest water by the creation of small basins resulting in microenvironments that can also be used to enhance revegetation success of reclaimed lands in the semi-arid West. These gouges, or micro-basins, can be created by specially designed heavy equipment, as well as by using more common equipment such as a backhoe or trackhoe. The recommended depth for the micro-basins is 18 to 24 inches, with a recommended width that can be equal to the size of the backhoe bucket (*The Practical Guide to Reclamation*, State of Utah, Division of Oil, Gas & Mining, Salt Lake City, UT).

The gouges will be created at the specifications mentioned above. The finished surface would consist of at least 50% basins, meaning at least half of the surface area will consist of the gouges; their average depths will exceed 18 inches. Taken from the same reference cited above, using a random and overlapping pattern should make it impossible for water to flow downslope with a slope of 1h:1.5v (the Siaperas Ditch area is much less than this slope angle).

Taken from the Western U.S. Precipitation Frequency Maps published in 1973 (NOAA, Atlas 2, HDSC/NWS, Office of Hydrology, Silver Spring, MD) and using the 10-year, 24-hour precipitation event of 1.8 inches, and with an effective basin area of 50% of the total surface area, the depth of water in the micro-basins would be only 3.6 inches (this assumes absolutely no infiltration to the existing soils). Thus, with proper construction of gouges in the area, there would be no runoff at all from this precipitation event. That said, clean-out or reconstruction of the gouges would occur only if the average basin depths were to decrease by natural weathering processes to less than 3.6 inches.

Similarly, using the much larger 100-year, 24-hour precipitation event of 2.6 inches and the same 50% basin area, the depth of water in the depressions would only be 5.2 inches. Using an even more conservative scenario, if the basin area were to make up only 1/3 of the total surface area, the water depth in the gouges would be only 7.8 inches, which is less than half full of their capacity.