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## OGMCOAL - Wellington Prep Plant 4.19.2012 Midterm Inspection Report

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**From:** April Abate  
**To:** Patrick Collins  
**Date:** 4/30/2012 3:44 PM  
**Subject:** Wellington Prep Plant 4.19.2012 Midterm Inspection Report  
**CC:** Daron Haddock; Ingrid Campbell; James Owen; OGMCOAL@utah.gov; Prisci...  
**Attachments:** Wellington Midterm 4.19.2012.pdf; April Abate.vcf

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Hello Patrick,

Attached, please find a copy of the midterm inspection report. Please give me a call if you have further questions. We are expecting to finish our midterm review by June 10, 2012.

Sincerely,

April

**April A. Abate**

*Environmental Scientist III*

Division of Oil, Gas and Mining

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Starting Tuesday, September 6, 2011, our agency hours will be 8am-5pm, Monday-Friday.



GARY R. HERBERT  
Governor

GREG BELL  
Lieutenant Governor

# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

### Division of Oil, Gas and Mining

JOHN R. BAZA  
Division Director

## Inspection Report

Permit Number:	C0070012
Inspection Type:	TECHNICAL
Inspection Date:	Thursday, April 19, 2012
Start Date/Time:	4/19/2012 10:30:00 AM
End Date/Time:	4/19/2012 1:30:00 PM
Last Inspection:	

Representatives Present During the Inspection:	
OGM	Priscilla Burton
Company	Patrick Collins
Company	Erik Petersen

Inspector: April Abate

Weather: Sunny, Mild 60 F

InspectionID Report Number: 3079

Accepted by:

Permitee: **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:

Midterm permit review inspection

Inspector's Signature:

Date

Tuesday, April 24, 2012

April Abate,

Inspector ID Number: 60

Note: This inspection report is a public document and is available for review by the public. It is the property of the Division of Oil, Gas and Mining. For more information, please contact the Division of Oil, Gas and Mining at (801) 538-5340 • facsimile (801) 359-3940 • TTY (801) 538-7458 • www.ogm.utah.gov



Permit Number: C0070012  
 Inspection Type: TECHNICAL  
 Inspection Date: Thursday, April 19, 2012

**Inspection Continuation Sheet**

**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 type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Explosives	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Disposal of Excess Spoil, Fills, Benches	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Coal Mine Waste, Refuse Piles, Impoundments	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
10. Slides and Other Damage	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
13. Revegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
16.a Roads: Construction, Maintenance, Surfacing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.b Roads: Drainage Controls	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. Bonding and Insurance	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 company has never applied for Phase I Bond release, despite the west side surface facilities being removed over a decade ago. Requirements for Phase 1 bond release are described in R645-301-880.310 and include final grading. NEICO would need to remove asphalt and grade the site to its final contours (i.e. bury cement foundations, grade surface coal into ponds and eliminate all ponds). The current bond for the site is over 5 million dollars. One goal the Division and the Operator should work together on is to find ways to try to reduce the bond. One of the reasons the bond is so high is because 4 feet of cover is required for the coarse and fine slurry pond areas. One recommendation was to re-evaluate the toxicity of this material to see if the 4 foot requirement is still justified. Pat mentioned re-evaluation of borrow areas as well. Bond reviewer and operator should work together to determine if the bonding spreadsheets currently reflect the surface facilities or if they have been removed. Another recommendation is for the Division to facilitate a meeting with NEICO to discuss company's position on removing the slurry ponds, to make progress on reaching native soil and greatly reducing the need for borrow material, which would be the best-case scenario.

### **2. Signs and Markers**

Borrow materials on the west side need to be protected from infringement by the gravel operation by the adjacent surface owner. A second site visit will be scheduled to walk the perimeter of the west side to check for perimeter markers.

### **3. Topsoil**

The facilities area Topsoil Pile was observed. Vegetation on the pile was sparse. Erosion is controlled by the cobbles and gravels on the surface. Pocks are still visible on the pile surface and some grasses have survived. But, the pile's compacted surface and depth above the water table work against vegetation establishment. Vegetation was thriving in the ditch surrounding the pile. Since not enough topsoil was preserved to cover the entire pre-law site, borrow areas have been identified on Map E9-3341 Facilities Map and with more detail on Map G9-3511 Potential Borrow Areas. The extensive sampling of borrow areas was reviewed prior to the site visit. At the time of sampling in 1995 depth to water in Area A was 6 ft.

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

Roadside Pond, Auxillary Pond, Dryer Pond, Plant Pond and Clearwater Pond were all toured. The Dryer Pond had water in it along with wetland plants. The source of this water reportedly comes from an old now demolished pump house that had a buried pipe leading to the pond. The pond has reportedly never discharged. Significant amounts of Tamerisk were observed in the Slurry pond and Clearwater pond areas.

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

Made some recommendations for sediment control near surface water sampling location SW-2 near the bank of the river requested that additional hay bales be placed along the bank of the river to prevent erosion from the disturbed (former pumphouse area). 4/23/2012 Patrick sent an email indicating that he has complied with the request.

#### **4.d Hydrologic Balance: Water Monitoring**

One goal of this midterm review is to have company perform an update to the existing Probable Hydrologic Consequences section of the MRP. This is in response to some underperforming groundwater monitoring wells. Lands north of the slurry ponds are no longer being farmed and this may account for the lowering of the water table north of the permit boundary. The company has committed to updating the PHC as a result of this Midterm Review.

#### **9. Protection of Fish, Wildlife and Related Environmental Issues**

Tamarisk thrive along the Price River and in the slurry ponds. All present were uncertain as to the plant's noxious weed status. Mr. Collins was notified by email on 4/19/2012 that Tamarisk was recently added to the State's noxious weed list as a Class C species that should be controlled as noted at this website <http://ag.utah.gov/divisions/plant/noxious/documents/noxUtah.pdf>.

#### **12. Backfilling And Grading**

West side grading to be completed prior to Phase I bond release application includes asphalt removal, pond removal, grading of coal fines from surface and soil cover over the coarse refuse pile.

#### **13. Revegetation**

Vegetation at the reclaimed pumphouse is getting established. Juncus (volunteer species) have established on the river bank. Saltgrass (unseeded species) thrive in the salty, bog land adjacent to the river. Most successful seeded species is saltbush.

#### **15. Cessation of Operations**

Notice of temporary cessation received on August 17, 2007 with a response to mid-term review Task 2621. The information was incorporated into the plan in 2008.



Figure 1. Dryer Pond wetland feature on property



Figure 2 Culverted Inlet into Dryer Pond



Figure 3 Tamerisk Growing in the Clearwater Pond



Figure 4 Coarse refuse pile in background. Topsoil pile in foreground.



Figure 5 Ditch/Berm around the Topsoil Pile



Figure 6 Volunteer *Juncus* sp. growing along riparian area of Price River at SW-2 surface sampling location



Figure 7. Former facilities stockpile location on West side of permit boundary.