

2007/045 Incoming

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EarthFax

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April 25, 2012

Mr. Daron Haddock
Coal Program Manager
Utah Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84114

Subject: Covol Wellington Plant
Topsoil stockpile permit amendment

Dear Mr. Haddock:

On behalf of Covol Engineered Fuels, I am pleased to submit the attached proposed amendment to the Mining and Reclamation Plan for their Wellington, Utah facility. This proposal represents a minor change to the plan, allowing the use of soil berms around their topsoil stockpiles in place of the silt fences that are currently approved. This submittal includes Forms C1 and C2 as well as three hard copies of the proposed changes and a CD with an electron version of the proposed changes.

Please contact Kyle Edwards, Plant Manager, at 435-613-1631 if you have any questions regarding this submittal. Thank you for your assistance.

Sincerely,

Richard B. White, P.E.
President
EarthFax Engineering, Inc.

Enclosure

Cc: Kyle Edwards

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APR 30 2012

DIV OF OIL, GAS, & MINING

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change New Permit Renewal Exploration Bond Release Transfer

Permittee: COVOL Engineered Fuels, LC

Mine: Wellington Dry Coal Cleaning Facility

Permit Number: C/007/0045

Title: Topsoil stockpile erosion control

Description, Include reason for application and timing required to implement:
Provision to provide a soil berm around the topsoil stockpiles

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

- Yes No 1. Change in the size of the Permit Area? Acres: _____ Disturbed Area: _____ increase decrease.
- Yes No 2. Is the application submitted as a result of a Division Order? DO# _____
- Yes No 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?
- Yes No 4. Does the application include operations in hydrologic basins other than as currently approved?
- Yes No 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?
- Yes No 6. Does the application require or include public notice publication?
- Yes No 7. Does the application require or include ownership, control, right-of-entry, or compliance information?
- Yes No 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
- Yes No 9. Is the application submitted as a result of a Violation? NOV # _____
- Yes No 10. Is the application submitted as a result of other laws or regulations or policies?

Explain: _____

- Yes No 11. Does the application affect the surface landowner or change the post mining land use?
- Yes No 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)
- Yes No 13. Does the application require or include collection and reporting of any baseline information?
- Yes No 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
- Yes No 15. Does the application require or include soil removal, storage or placement?
- Yes No 16. Does the application require or include vegetation monitoring, removal or revegetation activities?
- Yes No 17. Does the application require or include construction, modification, or removal of surface facilities?
- Yes No 18. Does the application require or include water monitoring, sediment or drainage control measures?
- Yes No 19. Does the application require or include certified designs, maps or calculation?
- Yes No 20. Does the application require or include subsidence control or monitoring?
- Yes No 21. Have reclamation costs for bonding been provided?
- Yes No 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?
- Yes No 23. Does the application affect permits issued by other agencies or permits issued to other entities?

Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you. (These numbers include a copy for the Price Field Office)

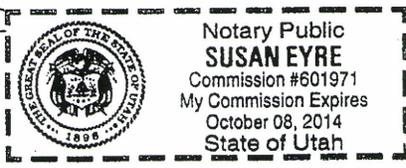
I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

MICHAEL MILDENHALL
 Print Name

[Signature], SECRETARY 4/17/12
 Sign Name, Position, Date

Subscribed and sworn to before me this 17th day of April, 2012

Susan Eyre
 Notary Public
 My commission Expires: Oct. 8, 2014
 Attest: State of Utah } ss:
 County of Salt Lake



For Office Use Only: 	Assigned Tracking Number:	Received by Oil, Gas & Mining <div style="font-size: 2em; font-weight: bold; color: red; margin: 5px 0;">RECEIVED</div> <div style="font-size: 1.5em; font-weight: bold; color: black; margin: 5px 0;">APR 30 2012</div> <div style="font-size: 1.2em; font-weight: bold; color: red; margin-top: 10px;">DIV OF OIL, GAS, & MINING</div>
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Protection from Contaminants and Compaction. Stockpiled topsoil will be located in areas away from traffic that might introduce contaminants and unnecessary compaction.

Wind and Water Erosion Protection. The topsoil stockpile will be protected from wind and water erosion by prompt establishment and maintenance of a vegetative cover. Silt fencing or a soil berm with a minimum height of 1 foot will be installed below the stockpile to help trap sediment runoff from the stockpile.

Topsoil Redistribution. No stockpiled topsoil will be moved until redistributed during reclamation operations unless approved by DOGM.

2.3.4.3 Topsoil Stockpile Relocation

Stockpiled topsoil in jeopardy of being detrimentally affected in terms of its quantity and quality by facility operations may be temporarily redistributed.

Host Site. Topsoil relocation may occur provided that such action does not permanently adversely affect topsoil of the host site.

Topsoil Suitability. Topsoil relocation may occur provided the topsoil is retained in a condition more suitable for redistribution than if stockpiled.

2.40 Reclamation Plan

2.4.1 General Requirements

Topsoil redistribution, amendments, and stabilization are discussed below.

2.4.2 Soil Redistribution

2.4.2.1 Soil Redistribution Practices

Under the industrial post-operation land-use scenario, the extent of the future redistribution of soil resources following facility shutdown is not currently known. However, for the sake of