Division's Air Quality Exhibit 7

0015

Outgoing
C0250005
#3371
OK

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

October 21, 2009

Chris McCourt, Manager
Alton Coal Development, LLC
463 North 100 West, Suite 1
Cedar City, Utah 84720

Subject: Proposed Permit, Alton Coal Development, LLC, Coal Hollow Project, C/025/005, Task ID #3371, Outgoing File

Dear Mr. McCourt:

Enclosed is Page 6, Attachment A, Special Conditions of the Proposed Permit.

The wrong Special Conditions page was inadvertently included with the Proposed Permit. Please replace this page in your Decision Document, which was mailed to you on October 20, 2009, with this corrected page.

If you have any questions, please call me at (801) 538-5265 or Daron Haddock, Coal Program Manager at (801) 538-5325.

Sincerely,

Suzanne Steab

Suzanne Steab
Office Specialist

sqs
Enclosure
cc: Jim Fulton, OSM
Walt Baker, DEQ
Price Field Office
O:\025005.COL\FINAL\WG3371\Conditions.doc

1594 West North Temple, Suite 1210, PO Box 145801, Salt Lake City, UT 84114-5801
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UTAH DNR OIL, GAS & MINING

ATTACHMENT A
SPECIAL CONDITIONS

1. Alton Coal Development, LLC (ACD) will submit water quality data for the Coal Hollow Mine in an electronic format through the Electronic Data Input web site, http://linux1.ogm.utah.gov/cgi-bin/appx-ogm.cgi.

2. In the event that ACD encounters large volumes of groundwater (a sustained flow of more than 1 cfs) in any pit other than pit 15, they will be required to notify the Division, and assess and submit plans to curtail inflows to the pit and reestablish groundwater movement.

3. When filling and reclaiming pits, porous fill material must not be left adjacent to the alluvial aquifers. As mining progresses to the south of Pit 15, if the coarse grained alluvium zone connected to the adjacent artesian water system is intersected by mining and a sustained flow greater than 1 cfs is encountered, the compacted shale barrier constructed in Pit 15 must then be extended south to these points of intersection. This extension of the shale barrier will meet the same specifications described in the application for the Pit 15 permanent barrier.

4. The Applicant will be required to monitor for selenium where water leaves the minesite, during operational and reclamation phases.

5. The Applicant will be required to evaluate discharges from the mine to determine any impacts to the designated AVF on Kanab Creek. An annual finding should be placed in the Annual Report during operation and reclamation of any adverse impacts to the channel, diminution of water quality and impacts to wildlife.

6. The Applicant must receive an Air Quality Approval Order prior to conducting surface mining.

7. Satisfactory compliance with the Alton Sage-Grouse Habitat Protection plan is required. Alton Coal Development, LLC will use best technology currently available to achieve the objectives of the plan in order to minimize the disturbances and adverse impacts to the sage grouse and related habitat and to enhance those resources where practicable. ACD will cooperate with the Division in consultation with the state and federal wildlife agencies to develop reasonable practices and methods as are determined to be necessary to implement the plan and to measure success and to achieve the goals of the plan.

From: Suzanne Steab
To: cmccourt@altoncoal.com; jfulton@osmre.gov; Walter Baker
CC: Dana Dean; Daron Haddock
Date: 10/21/2009 1:50 PM
Subject: Page 6 of the Proposed Permit
Attachments: Page6Letter.pdf; Page6.pdf

Hello,

Page 6, Attachment A, Special Conditions of the Proposed Permit is attached.

The wrong Special Conditions page was inadvertently included in the Decision Document packet sent to you on October 20, 2009 for Coal Hollow application approval.

Please replace Page 6 with the attached corrected page.

I will also put a hard copy into the mail.

Sorry for the inconvenience.

Thanks
Suzanne
(801)538-5265