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DIV. OF OIL, GAS & MINING

Resource Development Coordinating Committee
Governor's Office of Planning & Budget
E-210 Capital Complex
Salt Lake City, Utah 84114

April 14, 2008

Subject: Comments on Alton Coal Development Plan for the Coal Hollow Project.

Dear Sirs:

The following comments are submitted by the organization, "Save Our Air & Resources" in the interest of its members . There are a number of areas that we feel need to have a closer look before any approval is given.

1. The use of the roads by the vehicles and equipment will need to be improved due to the use on a 12 month bases. The road conditions as now required are not adequate to control the P.M. 10 and P.M. 2,5 problems with the number of trucks needed for this project. The coal dust will be deposited on the trucks and then distributed along the route.
2. A USGS publication, "Mining-Related Contaminants Persist in Some Coal region Water Wells", dated 12/28/06, points out the need for monitor wells in the area of mines. To quote, "Surface coal mines have historically had major impacts on the quality of shallow ground water." It goes on to state, "These findings are the result of mixing of ground-water in wells open to fractures at various depths, disturbance of rock from blasting, and variations in slopes and terrain relief in the study area."
3. 411.100 Premining Land Use Information, refers to wildlife habitats within the mining area that are found to have Black Bear, Rocky Mountain Elk, Mule Deer, and Sage Grouse, are some of the wildlife that use the lands within the permit area. This is not an adequate study of the total wildlife in the area.

A publication by the EPA, Office of Solid Waste, "Mining 101:" states, "NEPA documentation for mining activities should include mitigation which may or will be used to minimize or avoid impacts to aquatic, vegetation, and wildlife." Potential mitigation may include, avoiding construction, or disturbance during critical life stages. "For example, delay construction activities until after sage grouse strutting occurs at nearby leks." In the last paragraph of that section, it states, "Assessment/prediction of potential wildlife impacts requires an accurate description of baseline conditions as well as long-term monitoring program to identify any changes from the pre-disturbance environment."

4. Selenium hazards study needs to be expanded. In a publication, "Recommendations for Pre-Mine Assessment of Selenium Hazards" dated January 5, 2004 by A. Dennis Lemly, Ph.D, Senior Scientist in Aquatic Toxicology, it states the need for a comprehensive pre-mine assessment. Dr. Lemly, explains the necessity of a thorough assessment of the selenium concentrations. The test bore holes that indicate that selenium is not found in the area is inadequate. Quote," It is essential to determine selenium concentrations of coal and overburden that are to be moved because once these materials are exposed to air and precipitation, they can leach substantial quantities of selenium." He goes on to state, "This entails making a minimum of one core drilling per 5 acres, extending into the coal bed that is to be extracted. Two samples (about 450 grams each) are taken from each core: one consisting of overburden material and one of the coal itself.. Each sample is evaluated using a passive leaching test." Dr. Lemly, describes the process to be used in the laboratory to evaluate the hazards. Selenium is found in coal in this area and the content of this coal must be verified.

5. The stock piles from the mining operation that presently state that seeding will take place to control dust from blowing is not adequate. These piles of dirt and other material must be covered with a cover of some sort first and then a small layer of soil before seeding takes place. Without this, the waste material and soil will deposit dust in the surrounding vegetation.

6. The status of unsuitability claim quotes a Petition of a surface coal mining study that has a date of January 17, 1980, that determined the area to be suitable for surface mining. Much has changed since that study was

completed. Much more experience in surface mining has taken place and technology has improved drastically. A reassessment of this study needs to be preformed prior to any judgement made on the permit.

It is necessary to determine the full impact of this plan before a permit is issued.

Sincerely:

James O. Kennon

James O. Kennon, President

Save Our Air & Resources

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