


Alton Coal Development, LLC

463 North 100 West, Suite 1

Cedar City, Utah 84720

Phone (435) 867-5331 • Fax (435) 867-1192

COPY

November 23, 2009

Daron R. Haddock
 Department of Natural Resources
 Utah Division of Oil, Gas & Mining
 1594 West North Temple, Suite 1210
 Salt Lake City, UT 84114

Re: Housekeeping Corrections and Updates/Corrections for Coal Hollow Project, Kane County, Utah, C/025/0005

Dear Mr. Haddock:

As part of the Decision Document and Application Approval dated October 19, 2009, for the Coal Hollow Project (C/025/0005), the Division provided a list of "Housekeeping Corrections" that are required prior to the permit issuance. This submittal addresses each item included in the list. The following is an individual listing of each item followed by an explanation in italics detailing how the item is addressed in this submittal:

Item #1: R645 - 301- 622.300 requires strike and dip be shown on a map. Strike and dip are not evident on Drawings 6-1 and 6-6 (see statement in Section 622.300). Clearly indicate strike and dip on Drawings 6-1 and 6-6, or if strike and dip are shown on other maps, correct the reference in Section 622.300.

Drawings 6-1 and 6-2 have been edited to include a symbol showing the strike and dip of the coal seam. These drawings are resubmitted with this information added.

Item #2: Add information on surface-water monitoring points SVWOBS-1 and SVWOBS-2 to Section 724.200 and appropriate maps.

Page 7-17, Section 724.200 in Chapter 7 has text added to include these two surface water monitoring points. This page is submitted with these changes. These two points are already included on the appropriate map, Drawing 7-2, in the Mining and Reclamation Plan. This drawing is located in Volume 8, Chapter 7 Drawings section.

File in:

 Confidential

 Shelf

 Expandable

Refer to Record No. 0036 Date 11/23/2009

In C/025/0005, 2009, Incoming

For additional information

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Item #3: Add Drawings 15 and 15B to the Table of Contents for Chapter 7.

The table of contents for Chapter 7 has been edited to include these two drawings. These edits are on the fourth page of the table of contents and this page is submitted with the changes.

Item #4: Clarify that silt fencing treating runoff from Watershed 6 will be placed on the upslope or east side of the relocated channel, rather than on the downslope or west side as indicated on Drawing 5-26.

Drawing 5-26 shows the location of the silt fence for Watershed 6 once Lower Robinson Creek is reestablished in the approximate original channel location and the temporary diversion channel is reclaimed. Both channels (the temporary and the reestablished) are shown on this drawing and since there will be a time frame when silt fence will be needed along the east side of the temporary channel, text has been added to the description on page 7-45 to make this clarification. This page is submitted with this clarification.

Item #5: Update Section 731.600 Stream Buffer Zones to include *ephemeral streams that drain a watershed of at least one square mile* (R645-301-731.600 was reworded after the Applicant*s initial submittal).

This revised wording has been added to this section on page 7-61. Page 7-61 is submitted with this change.

Item #6: Page 5-59 still contains a reference to grading within 180 days which must be corrected to be in compliance with the requirements of R645-301-553.

This page (5-59) is submitted with this correction.

In addition to these housekeeping corrections, a clarification has been made to Section 112.320 in reference to ownership of the company. This change is submitted as an update /correction based on R645-301-112.900. Each text change submission is made in redline/strikeout form followed by a clean copy that can be placed in the Mining and Reclamation Plan.

To my knowledge, there are not any other corrections and/or updates necessary in the previously submitted information for the Coal Hollow Project (C/025/0005).

Please let me know if you have any question or concerns.

Sincerely,



Chris McCourt
Manager

APPLICATION FOR COAL PERMIT PROCESSING

COPY

Permit Change New Permit Renewal Exploration Bond Release Transfer

Permittee: Alton Coal Development, LLC

line: Coal Hollow

Permit Number: C/025/0005

Title: Mining and Reclamation Plan - Housekeeping Corrections & Updates/Corrections

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

These documents are provided to address the Housekeeping Corrections required for the Mine permit.

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.

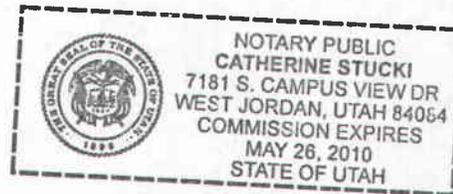
Chris McCourt
Print Name

Chris Hubert, Manager, 11-23-09
Sign Name, Position, Date

Subscribed and sworn to before me this 23 day of November, 2009

Catherine Stucki
Notary Public

My commission Expires: May 24, 2010
Attest: State of Utah } ss:
County of Iron



For Office Use Only:

Assigned Tracking Number:

Received by Oil, Gas & Mining

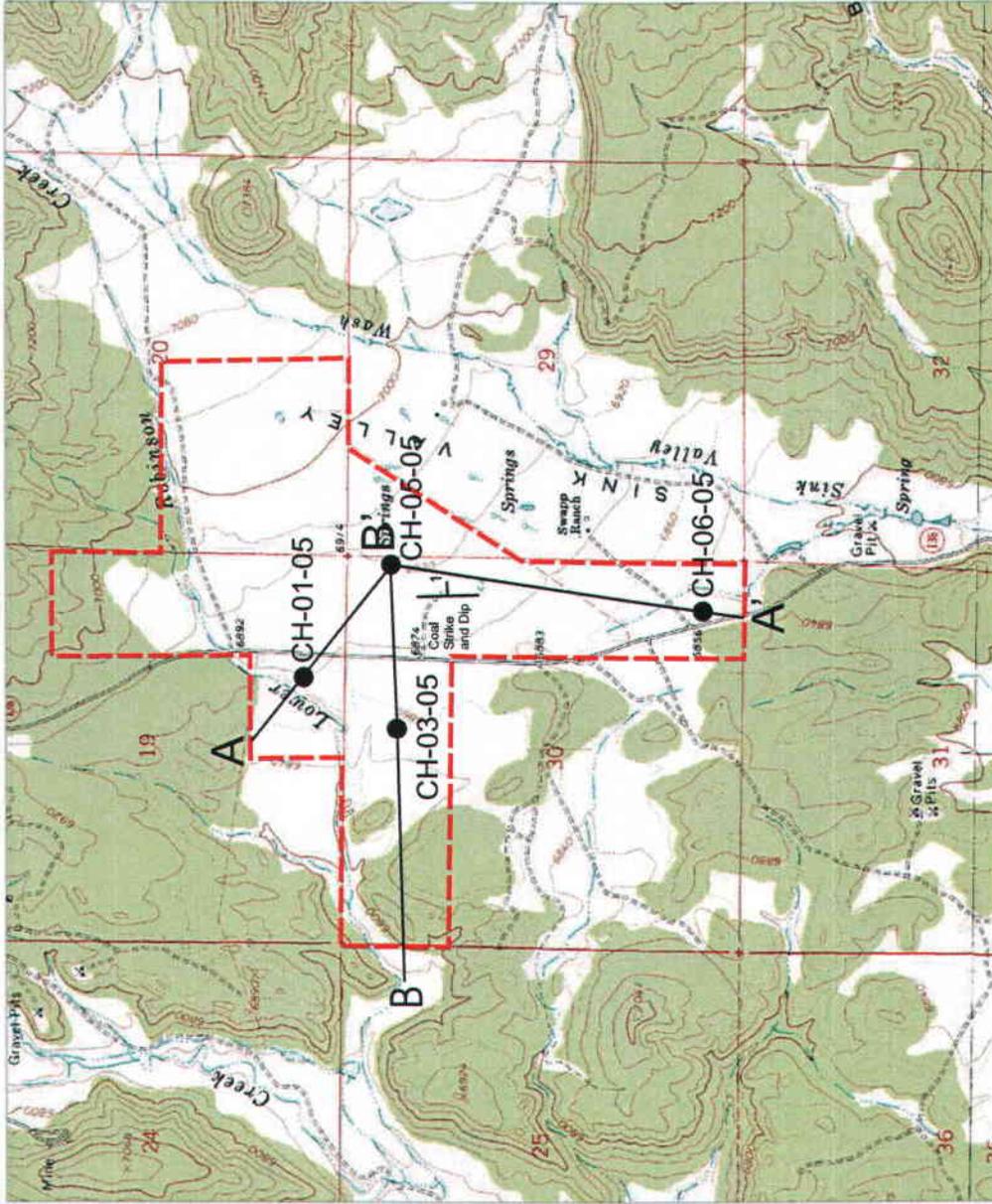
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112° 28' 45.517" W
37° 24' 36.220" N

112° 25' 29.180" W
37° 24' 38.632" N

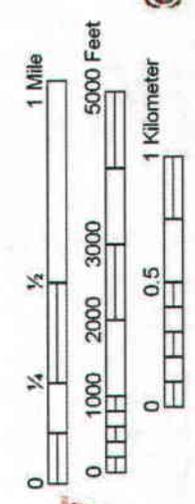


37° 22' 25.703" N
112° 28' 42.952" W

37° 22' 28.112" N
112° 25' 26.710" W

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1927 North American Datum; UTM grid zone 12
Generated by BigTopo7 (www.igage.com)
Map compiled from USGS Quads: Alton; UT
Bald Knoll; UT



UTM Grid and 2005 Magnetic North
GDA83 TM 0 2027 (10 mbs)
TM 10 13 2027 (231 mbs)



Drawing 6-6
Location map for
Coal Hollow Project
cross-sections

All surface waters in the proposed Coal Hollow Mine permit and adjacent area are tributary to the Kanab Creek drainage. Surface-water monitoring stations from which baseline data have been collected are shown on Drawing 7-2 and include the following:

Sink Valley Wash drainage

SW-8 (Swapp Hollow above proposed mining areas), SW-7 (unnamed drainage in Section 21, T39S, R5W), RID-1 (irrigation diversion of water from Water Canyon drainage above proposed mining areas), SW-6 (headwaters of unnamed tributary to lower Sink Valley Wash), SW-9 (Sink Valley Wash below proposed mining areas), SW-10 (unnamed tributary to Sink Valley Wash approximately 1.7 miles south of proposed mining areas), SVWOBS-1 (Sink Valley Wash above proposed mining areas, and SVWOBS-2 (Sink Valley Wash east of proposed mining areas).

Lower Robinson Creek drainage

SW-4 (Robinson Creek above proposed mining areas), SW-101 (Lower Robinson Creek near proposed mining areas), BLM-1 (Lower Robinson Creek adjacent to proposed mining areas) and SW-5 (Lower Robinson Creek below proposed mining areas).

Kanab Creek drainage

SW-1 (Kanab Creek near Alton, Utah; above proposed mining areas), SW-3 (Kanab Creek above proposed mining areas), and SW-2 (Kanab Creek below Lower Robinson Creek and below proposed mining areas). Additionally baseline hydrologic data from Lamb Canal, which is an irrigation ditch that conveys water from a diversion in Kanab Creek to irrigated lands adjacent to Kanab Creek west of proposed mining areas, is also collected.

724.300 Geologic Information

Geologic information in sufficient detail to determine the probable hydrologic consequences of mining and determine whether reclamation as required by R645 can be accomplished is given in Chapter 6 of this permit application package and in Appendix 7-1.

724.400 Climatological Information

Climatological information, including temperature and precipitation data, have been routinely measured and recorded at the Alton, Utah weather station (420086) since 1928. The station is located in the town of Alton, approximately two miles north of the proposed Coal Hollow Mine permit area. Climatological data collected at the Alton station for the 77 year period from 1928 to 2005 are summarized in Table 7-3.

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DRAWINGS

Drawing 7-1	Spring and seep locations
Drawing 7-2	Baseline monitoring stations
Drawing 7-3	Water Rights map
Drawing 7-4	Alluvial groundwater discharge areas
Drawing 7-5	Alluvial groundwater degradation in Sink Valley
Drawing 7-6	Cross-section through proposed mine Pit 15
Drawing 7-7	Locations of ponds and irrigation ditches
Drawing 7-8	Climate data
Drawing 7-9	Plot of Palmer Hydrologic Drought Index, Utah Region 4
Drawing 7-10	Water monitoring locations
Drawing 7-11	Typical monitoring well construction
Drawing 7-12	Monitoring well locations
Drawing 7-13	Map of potentiometric levels in alluvial groundwater
Drawing 7-14	Pump test drawdowns in pumping and observation wells
<u>Drawing 7-15</u>	<u>Hydrology Resource - Plan View</u>
<u>Drawing 7-15B</u>	<u>Hydrology Resource - Cross Sections</u>

TABLES

Table 7-1	Monitoring site details
Table 7-2	Monitoring well construction details
Table 7-3	Climate data
Table 7-4	Monitoring plan protocols
Table 7-5	Water monitoring locations
Table 7-6	Operational field and laboratory water-quality parameters for surface-waters
Table 7-7	Operational field and laboratory water-quality parameters for groundwaters
Table 7-8	Hydraulic Conductivity values
Table 7-9	Estimated rates of groundwater inflows
Table 7-10	Summary table for wells
Table 7-11	Summary table for springs and seeps
Table 7-12	Water rights details and status

APPENDICES

Appendix 7-1	Petersen Hydrologic, LLC groundwater and surface-water report
Appendix 7-2	Not used
Appendix 7-3	Water rights
Appendix 7-4	Water Engineering & Technology, Inc. report
Appendix 7-5	Facilities spill plan
Appendix 7-6	Climate data
Appendix 7-7	Supplemental Alluvial Valley Floor Information
Appendix 7-8	Water right agreement with the town of Alton, Utah
Appendix 7-9	Hydrology Resource Contingency Plan
Appendix 7-10	Permanent shale barrier

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and the maximum reasonably foreseeable amount of mine discharge water that could potentially be required to be discharged from mine pits is much less than that periodically occurring during major torrential precipitation events. The addition of modest amounts of sediment-free water into these stream channels has the potential to cause minor increases in channel erosion. However, the magnitude of this potential impact will likely be small relative to that occurring during torrential precipitation events.

Most precipitation waters falling on disturbed areas will be contained in diversion ditches and routed to sediment impoundments that are designed to impound seasonal water and storms. Sediment control facilities will be designed and constructed to be geotechnically stable. This will minimize the potential for breaches of sediment control structures, which if they occur could result in down-stream flooding and increases in stream erosion and sediment yield. Emergency spillways will be part of the impoundment structures to provide a non-destructive discharge route should capacities ever be exceeded.

Details associated with these structures can be viewed on Drawings 5-25 through 5-34 and Appendix 5-2.

It should be noted that during the startup and construction phase of the mine operation, while the ditches and sediment control ponds are being constructed, temporary silt control measures will be utilized. These measures may include the use of silt fences or other appropriate sediment control measures as necessary.

As shown on Drawing 5-26, there are two sediment impound watershed areas within the mine permit area (Watershed 5 and Watershed 6) from which precipitation runoff water will not be routed through sediment ponds.

Watershed 5 area includes 28 acres near the Sink Valley Wash/Lower Robinson Creek drainage divide. The land surface in Watershed 5 is relatively flat, sloping at about a one percent grade. Because of the flatness of the land surface in Watershed 5, it is not practical to construct ditches to convey water from this area to a sediment pond. Consequently, control of sediment in runoff water from Watershed 5 will be accomplished through the use of a silt fence or other appropriate sediment control measure placed along the western permit boundary adjacent to Watershed 5 (see Drawing 5-26). Precipitation water falling on Watershed 5 will be retained as soil moisture, retained in the lowest portions of the watershed and allowed to evaporate or infiltrate or, after treatment with silt fences or other appropriate sediment control measures, allowed to flow down gradient onto lower lying adjacent areas.

Watershed 6 includes 19 acres located within the permit boundary east of the proposed Lower Robinson Creek reconstruction (see Drawing 5-26). The land surface in this area slopes gently toward the west at an approximately three to four percent grade. The Watershed 6 area will be isolated from a sediment pond by the reconstructed Lower Robinson Creek stream channel. Control of sediment in Watershed 6 will be accomplished through the installation of a silt fence or other appropriate sediment control measure along the margin of the watershed as shown on Drawing 5-26. While the temporary diversion of Lower Robinson Creek is in place, silt fence will be placed on the upslope or east side of the relocated channel. The soils on the

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731.600 Stream Buffer Zones

No land within 100 feet of a perennial stream or an intermittent stream or an ephemeral stream that drains a watershed of at least one square mile will be disturbed by coal mining and reclamation operations, unless the Division specifically authorizes coal mining and reclamation operations closer to, or through, such a stream.

~~Any perennial or intermittent streams in the mine area will be protected by 100-foot stream buffer zones on either side of these streams.~~

Coal mining and reclamation operations will not cause or contribute to the violation of applicable Utah or federal water standards and will not adversely affect the water quality and quantity or other environmental resources of the stream.

Temporary or permanent stream channel diversion will comply with R645-301-742-300. It should be noted that the proposed Coal Hollow Mine plan calls for the temporary diversion of a reach of the Lower Robinson Creek stream channel approximately 2,000 feet in length in the southeast ¼ of Section 19, T39S, R5W. Details of the proposed diversion are given in Chapter 5, Section 527.220 of this MRP. If this action results in diminution of the meager discharge of surface water in the drainage below the planned diversion, where required a suitable mitigation for this potential impact will be designed and implemented in consultation with the Division of Oil, Gas and Mining.

The areas surrounding the streams that are not to be disturbed will be designated as buffer zones, and will be marked as specified in R645-301-521.260.

731.700 Cross sections and Maps

The locations of springs and seeps identified in the proposed Coal Hollow Mine permit and adjacent area are shown in Drawing 7-1. The locations of baseline hydrologic monitoring locations are shown on Drawing 7-2. The locations of water rights in the proposed Coal Hollow permit and adjacent area are provided on Drawing 7-3. Cross-sections depicting the stratigraphy and hydrostratigraphy of the proposed Coal Hollow Mine permit and adjacent area are presented in Chapter 6, Drawing 6-2. Designs for proposed impoundments in the proposed Coal Hollow permit area are shown in Drawings 5-25 through 5-31

731.800 Water Rights and Replacement

Alton Coal Development, LLC commits to replace the water supply of an owner of interest in real property who obtains all or part of his or her supply of water for domestic, agricultural, industrial, or other legitimate use from the underground or surface source, where the water supply has been adversely impacted by contamination, diminution, or interruption proximately resulting from the surface mining activities. Baseline hydrologic information required in R645-301-624.100 through R645-301-624.200, R645-301-625, R645-301-626, R645-301-723 through R645-301-724.300, R645-301-724.500, R645-301-725 through R645-301-731, and R645-301-731.210 through R645-301-

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542 NARRATIVE, DRAWINGS AND PLANS:

542-100 through 600 Plan and Timetable.

Reclamation at the Coal Hollow Mine includes both ongoing reclamation and final reclamation activities. Ongoing reclamation will follow mining operations as closely as practicable during the mine production phase. Major steps in the ongoing reclamation process are:

- Backfilling and Grading. The planned backfilling and grading operations are described more fully under section 553 below.
- Topsoil and Subsoil Replacement. Following grading, suitable topsoil and subsoil will be replaced on the regraded area. Topsoil may be direct placed from areas ahead of the mine, or may be taken from available stockpiled material. The planned topsoil operation will have topsoil ahead of the operation dozed into windrows, and loaded into trucks by a front end loader. The trucks will haul the topsoil to the regraded area, or to a temporary topsoil stockpile. Subsoil will be handled similar to topsoil. Once dumped on the regraded area, topsoil and subsoil layers will be dozed to a consistent thickness. Approximately 8 inches of topsoil is expected to be removed ahead of mining and replaced over the regraded area. Subsoil removed and replaced will average 40 inches thick and will be placed between the topsoil layer and run of mine spoil. The total profile thickness of topsoil and subsoil in mined areas will average 48 inches. Once in place, the area will be fine graded to remove small erosion features and depressions.
- Revegetation. Following replacement of topsoil the area will be revegetated by seeding. Mulch will be placed on the seedbed surface once soil amendments have been incorporated and seeding has been accomplished in areas that will be reclaimed to native plant communities. The mulch should control erosion by wind and water, decrease evaporation and seed predation, and increase survivability of the seeded species. Like the seeding methods, mulch will be applied with a variety of techniques and materials depending on the reclaimed area.

Generally, mined areas will be backfilled and graded within approximately 1860 days following coal removal, or 1,500 feet of the active coal removal face. One exception to this standard is during mining and backfilling of the final pits in the south end of the permit area. During this phase of mining, backfilling will follow approximately 2,000 feet from the active coal face. A detailed description of the reason for this variation are fully described in section 528 (Overburden) and the major steps can be viewed on Drawings 5-17 through 5-19. Areas needed for in-pit roads, ramps, drainage controls or areas which must be left open temporarily for operational reasons will be backfilled and graded when they are no longer needed. The rate of backfilling will depend on the availability of mined out pit areas for backfilling, and the rate of production at the mine. Based on anticipated production rates, Drawing 5-38 provides an estimated sequence and timing for reclamation.

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- Backfilling and Grading. The planned backfilling and grading operations are described more fully under section 553 below.
- Topsoil and Subsoil Replacement. Following grading, suitable topsoil and subsoil will be replaced on the regraded area. Topsoil may be direct placed from areas ahead of the mine, or may be taken from available stockpiled material. The planned topsoil operation will have topsoil ahead of the operation dozed into windrows, and loaded into trucks by a front end loader. The trucks will haul the topsoil to the regraded area, or to a temporary topsoil stockpile. Subsoil will be handled similar to topsoil. Once dumped on the regraded area, topsoil and subsoil layers will be dozed to a consistent thickness. Approximately 8 inches of topsoil is expected to be removed ahead of mining and replaced over the regraded area. Subsoil removed and replaced will average 40 inches thick and will be placed between the topsoil layer and run of mine spoil. The total profile thickness of topsoil and subsoil in mined areas will average 48 inches. Once in place, the area will be fine graded to remove small erosion features and depressions.
- Revegetation. Following replacement of topsoil the area will be revegetated by seeding. Mulch will be placed on the seedbed surface once soil amendments have been incorporated and seeding has been accomplished in areas that will be reclaimed to native plant communities. The mulch should control erosion by wind and water, decrease evaporation and seed predation, and increase survivability of the seeded species. Like the seeding methods, mulch will be applied with a variety of techniques and materials depending on the reclaimed area.

Generally, mined areas will be backfilled and graded within approximately 60 days following coal removal, or 1,500 feet of the active coal removal face. One exception to this standard is during mining and backfilling of the final pits in the south end of the permit area. During this phase of mining, backfilling will follow approximately 2,000 feet from the active coal face. A detailed description of the reason for this variation are fully described in section 528 (Overburden) and the major steps can be viewed on Drawings 5-17 through 5-19. Areas needed for in-pit roads, ramps, drainage controls or areas which must be left open temporarily for operational reasons will be backfilled and graded when they are no longer needed. The rate of backfilling will depend on the availability of mined out pit areas for backfilling, and the rate of production at the mine. Based on anticipated production rates, Drawing 5-38 provides an estimated sequence and timing for reclamation.

112.320 Relationship to the Applicant

~~Each of the above listed managers and members owns and controls more than 10% of Alton Coal Development, LLC.~~ The following is a listing of company ownership as defined by R645-100-200 "Owned or Controlled":

Stonie Barker, Jr.: 10% Ownership
Alexander D. Mirrow: 15% Ownership
Robert C. Nead, Jr.: 15% Ownership
James J. Wayland: 50% Ownership
Anthony O. Gargiulo: 10% Ownership
Beverly Holwerda 0% Ownership

112.330 Title and Date of Position

The manager listed in 112.310 was appointed July 17, 2007. The following is a listing of each member and their individual date of appointment and/or departure:

Stonie Barker, Jr.: 9/9/04
Alexander D. Mirrow: 9/9/04
Robert C. Nead: 9/9/04
James J. Wayland: 9/9/04
Anthony O. Gargiulo: 1/1/08
Beverly Holwerda: 9/9/04 with departure 4/30/08

112.340. Ownership or control of Other Coal Mining and Reclamation Operations

Neither Alton Coal Development, LLC nor its manager or members owns and has not in the previous five years owned another coal mining and reclamation operation.

112.350 Application Number – Other Pending Coal Mining and Reclamation Operations

Neither Alton Coal Development, LLC nor its manager or members owns any pending coal mine permits.

112.400 Coal Mining and Reclamation Operations Owned or Controlled

Neither Alton Coal Development, LLC nor its manager or members owns or controls any other coal mining and reclamation operations.

112.410 Coal Mining and Reclamation Operations Owned or Controlled by Managers or Members of Alton Coal Development, LLC

Neither Alton Coal Development, LLC nor its manager or members owns or control any other coal mining and reclamation operations.

112.320 Relationship to the Applicant

The following is a listing of company ownership as defined by R645-100-200 "Owned or Controlled":

Stonie Barker, Jr.: 10% Ownership
Alexander D. Mirrow: 15% Ownership
Robert C. Nead, Jr.: 15% Ownership
James J. Wayland: 50% Ownership
Anthony O. Gargiulo: 10% Ownership
Beverly Holwerda 0% Ownership

112.330 Title and Date of Position

The manager listed in 112.310 was appointed July 17, 2007. The following is a listing of each member and their individual date of appointment and/or departure:

Stonie Barker, Jr.: 9/9/04
Alexander D. Mirrow: 9/9/04
Robert C. Nead: 9/9/04
James J. Wayland: 9/9/04
Anthony O. Gargiulo: 1/1/08
Beverly Holwerda: 9/9/04 with departure 4/30/08

112.340. Ownership or control of Other Coal Mining and Reclamation Operations

Neither Alton Coal Development, LLC nor its manager or members owns and has not in the previous five years owned another coal mining and reclamation operation.

112.350 Application Number – Other Pending Coal Mining and Reclamation Operations

Neither Alton Coal Development, LLC nor its manager or members owns any pending coal mine permits.

112.400 Coal Mining and Reclamation Operations Owned or Controlled

Neither Alton Coal Development, LLC nor its manager or members owns or controls any other coal mining and reclamation operations.

112.410 Coal Mining and Reclamation Operations Owned or Controlled by Managers or Members of Alton Coal Development, LLC

Neither Alton Coal Development, LLC nor its manager or members owns or control any other coal mining and reclamation operations.