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Outgoing
C0250005
#3826
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Citation for Non-Compliance Utah Coal Regulatory Program

1594 West North Temple, Salt Lake City, UT 84114
Phone: (801) 538-5340 Fax: (801) 359-3940

Citation #: **10085**

Permit Number: **C0250005**

Date Issued: **05/25/2011**

NOTICE OF VIOLATION

CESSATION ORDER (CO)

FAILURE TO ABATE CO

Permittee Name: **ALTON COAL DEVELOPMENT LLC**

Inspector Number and ID: **49 KHOUSKEE**

Mine Name: **COAL HOLLOW**

Date and Time of Inspection: **05/24/2011 8:00 am**

Certified Return Receipt Number: **70080150000208964314**

Date and Time of Service: **05/25/2011 10:30 am**

Nature of condition, practice, or violation:

Failure to conduct construction and/or quarterly inspections of Excess Spoil Pile by a qualified registered professional engineer and comply with the terms and conditions of the current Mining and Reclamation Plan (MRP). Specifically no construction and/or First Quarter 2011 Excess Spoil Pile Inspections, did not comply with MRP, page 5-6, paragraph 2 (titled 514.110).

Provisions of Act, regulations, or permit violated:

R645-301-514.110 R645-301-122
R645-301-514.100 MRP, page 5-6, paragraph 2 (titled 514.110)
R645-301-514.120
R645-100.700

This order requires Cessation of ALL mining activities. (Check box if appropriate.)

Condition, practice, or violation is creating an imminent danger to health or safety of the public.

Permittee is/has been conducting mining activities without a Permit.

Condition, practice, or violation is causing or can reasonably be expected to cause significant, imminent environmental harm to land, air, or water resources.

Permittee has failed to abate Violation(s) included in
 Notice of Violation or Cessation Order within time for abatement originally fixed or subsequently extended.

This order requires Cessation of PORTION(S) of mining activities.

Mining activities to be ceased immediately: Yes No

Abatement Times (if applicable).

Action(s) required: Yes No

Need to conduct quarterly inspections of the Excess Spoil Pile (beginning Second Quarter 2011). These inspections need to be conducted by a qualified registered professional engineer or under his/her direction. Such inspections need to be maintained at the mine site and promptly submitted to the Division after each inspection. The inspection report will include information that the fill is being constructed and maintained in accordance with the approved MRP and the R645-301 and R645-302 Rules. The report should also identify any appearances of instability, structural weakness, and other hazardous conditions.

Kirk Nicholes

(Print) Permittee Representative *& Faxed*

mailed certified return receipt

Permittee Representative's Signature - Date

KARL HOUSKEEPER

(Print) DOGM Representative

Karl R. Houskeeper 5/25/11

DOGM Representative's Signature - Date

SEE REVERSE SIDE OF This Form For Instructions And Additional Information