

**INSPECTION AND CERTIFIED REPORT ON EXCESS SPOIL
PILE OR REFUSE PILE**

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|--|-----------------------------|------------------------------------|----------|
| Permit Number | C/025/0005 | Report Date | 09/18/13 |
| Mine Name | Coal Hollow Mine | | |
| Company Name | Alton Coal Development, LLC | | |
| Excess Spoil Pile or Refuse Pile Identification | Pile Name | Coal Hollow Mine Excess Spoil Pile | |
| | Pile Number | | |
| | MSHA Mine ID Number | 42-02519 | |
| Inspection Date | 18-Sep-13 | | |
| Inspected By | Dan W. Guy, P.E. | | |
| Reason for Inspection - Quarterly Inspection (Annual, Quarterly or Other Periodic Inspections, Critical Installation, or Completion of Construction) | | Attachments to Report? No | |

Field Evaluation

No significant problems with the waste site were observed during the 3rd Quarter 2013.

1. **Foundation preparation, including the removal of all organic material and topsoil.**

Based on observation and discussion with the operator, the foundation preparation has been completed according to the approved plan.

2 **Placement of underdrains and protective filter systems.**

N/A - There are no underdrains or other filter systems associated with this pile.

3. **Installation of final surface drainage systems.**

The present surface drainage and diversion systems are operational and final. The pile has reached the elevation to allow positive drainage to Ditch 4 which flows to Sediment Pond No 3.

4. **Placement and compaction of fill materials.**

Placement and compaction of fill material appears to be in accordance with the approved plan, based on evaluation of compaction test results, site observation and discussion with the operator. Compaction tests ran on new spoils on 05/13/13 show compaction ranged from 88% to 98%. No new tests have been run since the 2nd quarter, since no new spoil has been placed on the pile.

5. **Final grading and revegetation of fill.**

The fill is in the early stage of development. The north, west and south out slopes of the pile have been final graded to a slope of 3H:1V. A berm has been placed on the south edge to control runoff. Seeding was completed on 7 acres in October, 2012. Approximately 18 additional acres have been sloped and soiled. 5 of those acres have been seeded and are showing good growth.

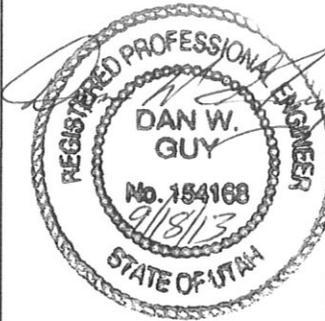
Appearances of instability, structural weakness, and other hazardous conditions.

N/A - There were no appearances of instability, structural weakness or other hazardous conditions noted during this inspection. Latest compaction tests show adequate compaction, with results ranging from 88% to 98%. The pile is being constructed at different levels to aid in the compaction. No new spoils have been added and no new compaction tests were done this quarter.

7. Other Comments. Describe any changes in geometry of the Excess Spoil/Refuse Pile structure, instrumentation, average and Minimum lifts of materials placed in the pile, elevations of active benches, total and remaining capacity of the structure, evidence of fires in the pile and abatement of such fires, volumes of materials placed in the structure during the year, and any other aspect of the structure affecting its stability or function which has occurred during the reporting period.

As noted above, the pile is in the early stage of development. The pile appears stable and is being constructed in accordance with the approved plan. 7 acres of the topsoiled area of the pile was seeded in late October 2012. Sloping and subsoil with some topsoil is done on approximately 18 more acres. 5 of those acres have been seeded and are showing good growth.

Certification Statement



I hereby certify that: I am experienced in the construction of earth and rock fills: I am qualified and authorized in the State of Utah to inspect and certify the condition and appearance of earth and rock fills in accordance with the certified and approved designs for this structure: that the fill structure has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations: and, that inspections and inspection reports are made by myself, or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

By: **Dan W. Guy, Registered Professional Engineer, State of Utah**

(Full Name and Title)

Signature: *Dan W. Guy* Date: 9/18/13

| IMPOUNDMENT INSPECTION AND REPORT | | | |
|--|---|-------------|------------|
| Permit Number | C/025/0005 | Report Date | 09/18/2013 |
| Mine Name | Coal Hollow Mine | | |
| Company Name | Alton Coal Development, LLC | | |
| Impoundment Identification | Impoundment Name | Pond 1 | |
| | Impoundment Number | Pond 1 | |
| | MSHA Mine ID Number | 42-02519 | |
| IMPOUNDMENT INSPECTION | | | |
| Inspection Date | 18-Sep-13 | | |
| Inspected By | Dan W. Guy, P. E. (Accompanied by B. Kirk Nicholes) | | |
| Reason for Inspection (Annual, Quarterly or Other Periodic Inspections, Critical Installation, or Completion of Construction) | Quarterly Inspection | | |
| 1. Describe any appearance of any instability, structural weakness, or any other hazardous condition. None Noted. | | | |
| Required for an impoundment which functions as a SEDIMENTATION POND. | 2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment. Sediment Storage Capacity: 60 % Elevation: 6912.26 (1.26') 100% Elevation: 6913.03 (2.03') The pond contained approximately 4' of water. The sediment marker is in place. Field observation shows the sediment level to be well below the cleanout elevation. The approximate sediment elevation is 6911.0. Some sediment buildup is evident at the south inlet due to recent storms. | | |
| | 3. Principle and emergency spillway elevations. Principle and Emergency Spillway Elevation: 6920 feet (The outlet structure for Pond 1 serves as both the Principle and Emergency Spillways) Total volume of pond at Spillway: 3.1 Acre-Feet (Elev. 6920.00') Required runoff storage: 2.57 Acre-Feet | | |

4. **Field Information.** Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions or other related activities associated with the pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.

The water level is approximately at elevation 6915.0. Rip-rap has been placed on both inlets. The outlet culvert, which serves as both principle and emergency outlet, is open and functional. There is no discharge from the pond. A berm has been installed on the upper side of the pond.

5. **Field Evaluation.** Describe any changes in the geometry of the structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

The only changes noted since the last inspection was an increase in the water level, and some sediment buildup at the south inlet. Both are the result of numerous recent storms.

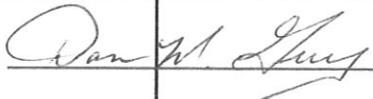
Certification Statement

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself, or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

By: Dan W. Guy, P.E.

(Full Name and Title)

Signature:



Date:

9/18/13

| IMPOUNDMENT INSPECTION AND REPORT | | |
|---|--|------------------------|
| Permit Number | C/025/0005 | Report Date 09/18/2013 |
| Mine Name | Coal Hollow Mine | |
| Company Name | Alton Coal Development, LLC | |
| Impoundment Identification | Impoundment Name | Pond 1B |
| | Impoundment Number | Pond 1B |
| | MSHA Mine ID Number | 42-02519 |
| IMPOUNDMENT INSPECTION | | |
| Inspection Date | 18-Sep-13 | |
| Inspected By | Dan W. Guy, P.E. (Accompanied by B. Kirk Nicholes.) | |
| Reason for Inspection (Annual, Quarterly or Other Periodic Inspections, Critical Installation, or Completion of Construction) | Quarterly Inspection. | |
| <p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>N/A - No appearance of any instability, structural weakness or other hazardous condition was noted.</p> | | |
| Required for an impoundment which functions as a SEDIMENTATION POND. | <p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.</p> <p>Sediment Storage Capacity: 60 % Elevation: 6900.00 (6.00') 100% Elevation: 6902.08 (8.08')</p> <p>The pond contained approximately 8' of water. The sediment marker is in place. Field observation shows the sediment level to be well below the cleanout elevation. The approximate sediment elevation is 6893.0.</p> | |
| | <p>3. Principle and emergency spillway elevations.</p> <p>Principle and Emergency Spillway Elevation: 6906 feet (The outlet structure for Pond 1B serves as both the Principle and Emergency Spillways)</p> <p>Total volume of pond at Spillway: 0.894 Acre-Feet (Elev. 6906.45)</p> <p>Required runoff storage: 0.50 Acre-Feet</p> | |

4. **Field Information.** Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions or other related activities associated with the pond decanting, embankment erosion/repairs, monitoring information, vegetation on out slopes of embankments, etc.

The water level is approximately at elevation 6900.5. There are 2 inlets to the pond - both have been rip-rapped. Both inlets appear stable and are functioning properly. The outlet is also open and functional.

5. **Field Evaluation.** Describe any changes in the geometry of the structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

The only change to the pond since the last inspection is the increase in water level due to recent storms.

Certification Statement

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself, or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

By: Dan W. Guy, P.E.

(Full Name and Title)

Signature: *Dan W. Guy* Date: 9/18/13

IMPOUNDMENT INSPECTION AND REPORT

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|-----------------------------------|-----------------------------|--------------------|----------|
| Permit Number | C/025/0005 | Report Date | 09/18/13 |
| Mine Name | Coal Hollow Mine | | |
| Company Name | Alton Coal Development, LLC | | |
| Impoundment Identification | Impoundment Name | Pond 2 | |
| | Impoundment Number | Pond 2 | |
| | MSHA Mine ID Number | 42-02519 | |

IMPOUNDMENT INSPECTION

Inspection Date 18-Sep-13

Inspected By Dan W. Guy, P.E. (Accompanied by B. Kirk Nicholes.)

Reason for Inspection
 (Annual, Quarterly or Other Periodic Inspections, Critical Installation, or Completion of Construction) Quarterly Inspection.

1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.
 N/A - No appearance of any instability, structural weakness or other hazardous condition was noted.

Required for an impoundment which functions as a SEDIMENTATION POND.

2. **Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.**
 Sediment Storage Capacity:
 60 % Elevation: 6894.07 (3.07')
 100% Elevation: 6895.72 (4.72')
 The pond contained approximately 6' of water. The sediment marker is in place, and field observation shows the sediment level to be well below the cleanout elevation. The approximate sediment elevation is 6890.0.

3. **Principle and emergency spillway elevations.**
 Principle and Emergency Spillway Elevation: 6900 feet (The outlet structure for Pond 2 serves as both the Principle and Emergency Spillways)
 Total volume of pond at Spillway: 2.675 Acre-Feet (Elev. 6901.09')
 Required runoff storage: 1.70 Acre-Feet

4. **Field Information.** Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions or other related activities associated with the pond decanting, embankment erosion/repairs, monitoring information, vegetation on outslopes of embankments, etc.

The water level is approximately at elevation 6896.0. The single pond inlet is rip-rapped. The outlet is open and functional. No other problems were noted during the inspection.

5. **Field Evaluation.** Describe any changes in the geometry of the structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

The only change in the pond since the last inspection was an increase in the water level due to recent storms.

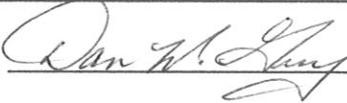
Certification Statement

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations: and, that inspections and inspection reports are made by myself, or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

By: Dan W. Guy, P.E.

(Full Name and Title)

Signature:



Date:

9/18/13

IMPOUNDMENT INSPECTION AND REPORT

| | | | |
|-----------------------------------|-----------------------------|--------------------|----------|
| Permit Number | C/025/0005 | Report Date | 09/18/13 |
| Mine Name | Coal Hollow Mine | | |
| Company Name | Alton Coal Development, LLC | | |
| Impoundment Identification | Impoundment Name | Pond 3 | |
| | Impoundment Number | Pond 3 | |
| | MSHA Mine ID Number | 42-02519 | |

IMPOUNDMENT INSPECTION

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|------------------------|---|
| Inspection Date | 18-Sep-13 |
| Inspected By | Dan W. Guy, P.E. (Accompanied by B. Kirk Nicholes.) |

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| Reason for Inspection (Annual, Quarterly or Other Periodic Inspections, Critical Installation, or Completion of Construction) | Quarterly Inspection. |
|---|-----------------------|

1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.
 No instability of the embankment or hazardous condition was noted during the inspection.

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| Required for an impoundment which functions as a SEDIMENTATION POND. | <p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.</p> <p>Sediment Storage Capacity: 60% Elevation: 6807.80 (7.74') 100% Elevation: 6808.50 (8.44')</p> <p>The pond contained approximately 7.5' of water. The sediment marker is in place, and field observation shows the sediment level to be well below the cleanout elevation. The approximate average sediment elevation is 6799.3.</p> |
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| Required for an impoundment which functions as a SEDIMENTATION POND. | <p>3. Principle and emergency spillway elevations.</p> <p>Principle and Emergency Spillway Elevation: 6811 feet (The outlet structure for Pond 3 serves as both the Principle and Emergency Spillways)</p> <p>Total volume of pond at Spillway: 12.96 Acre-Feet (Elev. 6811.00')</p> <p>Required runoff storage: 6.72 Acre-Feet</p> |
|--|---|

4. **Field Information.** Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions or other related activities associated with the pond decanting, embankment erosion/repairs, monitoring information, vegetation on outlopes of embankments, etc.

The water level is approximately at elevation 6808.0. Permanent Inlet Ditch 4 has been installed and is functional. The open-channel spillway has been rebuilt and rip-rapped. No discharge.

5. **Field Evaluation.** Describe any changes in the geometry of the structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

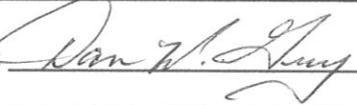
The pond has been enlarged to 12.96 ac-ft capacity and recertified. The only change since the last inspection is the increase in water level due to recent storms.

Certification Statement

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations: and, that inspections and inspection reports are made by myself, or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

By: Dan W. Guy, P.E.

(Full Name and Title)

Signature:  Date: 9/18/13

| IMPOUNDMENT INSPECTION AND REPORT | | | |
|--|--|----------------------|--|
| Permit Number | C/025/0005 | Report Date 09/18/13 | |
| Mine Name | Coal Hollow Mine | | |
| Company Name | Alton Coal Development, LLC | | |
| Impoundment Identification | Impoundment Name | Pond 4 | |
| | Impoundment Number | Pond 4 | |
| | MSHA Mine ID Number | 42-02519 | |
| IMPOUNDMENT INSPECTION | | | |
| Inspection Date | 18-Sep-13 | | |
| Inspected By | Dan W. Guy, P.E. (Accompanied by B. Kirk Nicholes.) | | |
| Reason for Inspection (Annual, Quarterly or Other Periodic Inspections, Critical Installation, or Completion of Construction) | Quarterly Inspection. | | |
| <p>1. Describe any appearance of any instability, structural weakness, or any other hazardous condition.</p> <p>No instability of the embankment or hazardous condition was noted during the inspection.</p> | | | |
| Required for an impoundment which functions as a SEDIMENTATION POND. | <p>2. Sediment storage capacity, including elevation of 60% and 100% sediment storage volumes, and estimated average elevation of existing sediment.</p> <p>Sediment Storage Capacity: 60 % Elevation: 6832.0 (3.78') 100% Elevation: 6833.0 (4.82')</p> <p>The pond contained approximately 1' of water on average. The sediment marker is in place, and field observation shows the sediment level to be well below the cleanout elevation. The bottom of pond and approximate sediment elevation is 6828.2.</p> | | |
| | <p>3. Principle and emergency spillway elevations.</p> <p>Principle and Emergency Spillway Elevation: 6834 feet (The outlet structure for Pond 4 serves as both the Principle and Emergency Spillways)</p> <p>Total volume of pond at Spillway: 5.50 Acre-Feet (Elev. 6834.00')</p> <p>Required runoff storage: 2.10 Acre-Feet</p> | | |
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4. **Field Information.** Provide current water elevation, whether pond is discharging, type and number of samples taken, monitoring/instrumentation information, inlet/outlet conditions or other related activities associated with the pond decanting, embankment erosion/repairs, monitoring information, vegetation on outlopes of embankments, etc.

The average water elevation is approximately 6829. The open-channel spillway is in place and rip-rapped. No discharge.

5. **Field Evaluation.** Describe any changes in the geometry of the structure, average and maximum depths and elevations of impounded water, estimated sediment or slurry volume and remaining storage capacity, estimated volume of water impounded, and any other aspect of the impounding structure affecting its stability or function which has occurred during the reporting period.

The pond has just recently been constructed. All compaction tests on the pond embankments indicate compaction to 90% or greater. The pond has been constructed in accordance with the design and approved plan, and certified. The only change since the last inspection is a slight increase in the water level due to recent storms.

Certification Statement

I hereby certify that: I am experienced in the construction of impoundments; I am qualified and authorized under the direction of a Registered Professional Engineer to inspect the condition and appearance of impoundments in accordance with the certified and approved designs for this structure; that the impoundment has been maintained in accordance with approved design and meet or exceed the minimum design requirements under all applicable federal, state and local regulations; and, that inspections and inspection reports are made by myself, or under my direction and include any appearances of instability, structural weakness or other hazardous conditions of the structure affecting stability.

By: Dan W. Guy, P.E.

(Full Name and Title)

Signature: *Dan W. Guy* Date: 9/18/13