GARY R. HERBERT
Governor

GREGORY S. BELL
Lieutenant Governor

State of Utah
DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

September 23, 2013

Kirk Nicholes
Alton Coal Development, LLC
463 North 100 West, Suite 1
Cedar City, Utah 84720

Subject: Conditional Approval of Revised DD1 & Sediment Impoundment 4, Coal Hollow Mine, Alton Coal Development LLC, C/025/0005, Task ID #4396

Dear Mr. Nicholes:

The Division has completed a review of your revised DD1 & Impoundment 4 plans received on August 15, 2013. The plans as submitted are adequate for allowing you to proceed with the proposed construction; however, there are some minor deficiencies that need your attention. These deficiencies are identified in the attached Findings Document and can be addressed in the As-Built drawings that you will need to submit once the construction has been completed.

Approval to proceed with your plans is hereby granted, conditioned upon you submitting the as-built drawings with the deficiencies addressed, within 30 days of the completion of your construction project. We also remind you that an archaeologist needs to be on site during construction of ditch D1 and sediment pond 4 to determine if there are any cultural resources discovered during the excavation. A stamped incorporated copy of the clean version of your amendment is enclosed for your records.

Please call me at (801) 538-5325 if you have any questions.

Sincerely,

Daron Haddock
Coal Program Manager

DRH/ss
Enclosures
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UTAH DNR
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FINDINGS DOCUMENT

Utah Coal Regulatory Program

PID: C0250005
TaskID: 4396
Mine Name: COAL HOLLOW
Title: REVISED DD1 & SEDIMENT IMPOUNDMENT 4

Operation Plan

Topsoil

Deficiencies Details:

R645-301-122, In Section 2.12, please reference where the B-1 boring log can be found in the MRP.

R645-301-121.200, Draw a line around the Lift #4 topsoil storage area on Map 4.

pburton

Hydro Sediment

Deficiencies Details:

R645.301.742.111 The minimum design dimensions of the exclusionary berm shall be added to the typical cross section on Drawing 5-33.

khoffman

Hydro Siltation Treatment

Deficiencies Details:

R645.301.512.200 Drawing 5-31 is not property presented as 2.1 acre/ft is crossed out and 3.8 is written in. This drawing shall be properly prepared and certified by a licensed engineer.

khoffman