



Suzanne Steab < suzannesteab@utah.gov >

Request for Extension Granted, NOV #10135

1 message

Suzanne Steab < suzannesteab@utah.gov >

Thu, Apr 10, 2014 at 7:31 AM

To: "ddragoo@swlaw.com" <ddragoo@swlaw.com>, Kirk Nicholes <knicholes@altoncoal.com>, Larry Johnson <ljohnson@altoncoal.com>, "Haddock, Daron" <daronhaddock@utah.gov>, "Houskeeper, Karl" <karlhouskeeper@utah.gov>

Please see attached.

Thank you.

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Suzanne Steab, Engineering Technician II
Division of Oil, Gas & Mining
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84114-5801



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GARY R. HERBERT
Governor

SPENCER J. COX
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

April 9, 2014

Denise A. Dragoo
Snell & Wilmer L. L. P.
Beneficial Tower
15 West South Temple, Suite 1200
Salt Lake City, Utah 84101-1531

Subject: Request for Extension of Time Beyond 90 Days to Address NOV 10135, Alton Coal Development, LLC, Coal Hollow Mine, C/025/0005

Dear Ms. Dragoo:

The Division received your letter on behalf of Alton Coal Development LLC (ACD) requesting an extension to the abatement period beyond 90 days for NOV 10135 on April 8, 2014. The NOV was written for "failure to rough backfill and grade within 60 days following coal removal from Pit #6 and Pit #9." The required abatement was to rough backfill and grade the two pits by February 12, 2014. On January 15, 2014 the Division extended the abatement period through April 17, 2014, the maximum allowed without approval of the Director.

The requirement to fill Pit #9 was removed from the abatement requirement after a change to the permit.

Your request states that "ACD has been working diligently to complete the backfilling of Pit #6," and that the pit is approximately 41% filled. I hereby grant the requested 60-day extension to abate the NOV because the failure to fill the pit is not due to lack of conscientious effort on the part of ACD. Pit #6 must now be rough backfilled and graded by June 16, 2014.

Thank you for your attention to this matter. Please call Dana Dean at (801) 538-5320 or Daron Haddock at (801) 538-5325 if you have any questions.

Sincerely,

John R. Baza
Director

JRB:dd/er

cc: Dana Dean
Daron Haddock
Kassidy Wallin
Larry Johnson
Kirk Nicholes