

C/025/005 Outgoing



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

July 22, 2014

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

Subject: Incomplete Determination and Return of Application, Addition of Underground Mining, Alton Coal Development, LLC, Coal Hollow Mine, C/025/0005

Dear Mr. Nicholes:

The above-referenced application has been determined to be incomplete and therefore is being denied and returned to you for your further attention. In a letter sent to Alton Coal on March 4, 2013 (copy enclosed), the Division made it clear that an addition of underground mining operations to the existing, approved surface mining permit would constitute a Significant Revision. Moreover, R645-303-224.100 makes it clear that an increase of the subsurface disturbed area in the amount of 15% or greater will constitute a Significant Revision. The Division has not changed its position on this requirement.

The Division is supportive of the proposed plans and encourages you to resubmit the application in the form of a Revision including the requirements for Public Participation found at R645-300-120.

If you have any questions, please call me at (801) 538-5325 or Priscilla Burton at (435)613-3733.

Sincerely,

Daron Haddock
Coal Program Manager

DRH/sqs
Enclosure
O:\025005.COL\RETURN APPLICATION FOR UNDERGROUND MINE.DOC





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GREGORY S. BELL
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Outgoing
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cc: Daron

March 4, 2013

Bob Nead
Alton Coal Company
463 North 100 West, Suite 1
Cedar City, Utah 84720

Subject: Nature of Permit Type to Commence Underground Mining, Alton Coal Company, Coal Hollow Mine, C/025/0005

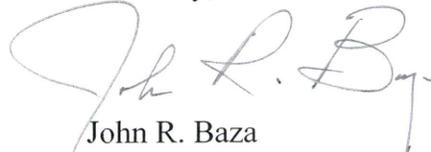
Dear Mr. Nead:

The Division has become aware that you plan to begin underground mining sometime in the near future at the Coal Hollow Mine, near Alton, Utah. We are very supportive of the idea, but will need to be sure that all permitting requirements have been met. This letter is to confirm that an addition of underground mining operations to the existing, approved surface mining permit would constitute a Significant Revision by the standards of the Coal Rules.

This additional technical information must be submitted by your company, as the permittee and the Division must analyze and issue approval of the Significant Revision before underground mining operations can commence. Please note that the process of application, review, and approval can be time consuming.

Please contact Dana Dean (801-538-5320) with any questions.

Sincerely,



John R. Baza
Director

JRB/DD/vs
Cc: Larry Johnson
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