



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

February 26, 2016

Robert Nead, President of Operations  
Alton Coal Development, LLC  
6602 Ilex Circle  
Naples, Florida 34145

Subject: Abatement of Citation 21163, Alton Coal Development LLC, Coal Hollow,  
C/025/0005, Task ID #5069

Dear Mr. Nead:

The abatement for NOV 21163 requires that “ The Permittee must provide a specific timetable for backfilling of HWT 2 and describe the remaining volume (LCY) required to backfill HWT 2; describe a plan for compacting the fill; describe a plan for handling water in HWT 2. The Permittee will update the narrative in Chapter 5, Chapter 7 and Chapter 8 accordingly.”

The above information was required by February 19, 2016. On February 19, the Division received a letter outlining a timeline with three scenarios for reclamation of HWT 2. First, this submittal does not provide the requested information, which must include revisions to the narrative in the Mining and Reclamation with a C1C2 form. Secondly, the Division is concerned the proposed timeline under scenarios 2 and 3 will not allow you to proceed into Pit 2 within your expected timeframe.

Under the existing bond, backfilling and grading by April 6, 2016 is necessary, because reclamation of Pit 1/Area 1 requires expansion into Pit 2 which requires additional bond. If work in HWT 2 is completed by April 6, 2016, it is conceivable that the 60 day public comment period for bond release will be completed by the time mining into Pit 2 is necessary. The Division would like to enable a smooth transition from mining in Pit 1 to Pit 2 such that backfilling of Pit 1 also is completed within 60 days of completion of mining in Pit 1 in accordance with R645-301-553.



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Robert Nead  
February 25, 2016

The Notice of Violation is still in effect and the abatement is still required. Enclosed is a modification of NOV 21163 to extend the abatement date until March 15, 2016. If you have any questions, please call me at (801) 538-5325 or Priscilla Burton at (435) 613-3733 for further details.

Sincerely,



Daron Haddock  
Coal Program Manager

DH/PWB/ss  
Modification Attached  
cc: Kirk Nichols, Alton Coal Development, LLC  
Andrew Christiansen, Alton Coal Development, LLC  
Priscilla Burton, PFO  
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**Action Taken on Existing Citation  
Utah Coal Regulatory Program**

1594 West North Temple, Salt Lake City, UT 84114  
Phone: (801) 538 - 5285 Fax: (801) 359-3940

Action on Citation#: **21163**

Permit Number: **C0250005**

Date Cit. Issued: **01/20/2016**

**MODIFICATION of**

**TERMINATION of**

**VACATION of**

**NOTICE OF VIOLATION**

**CESSATION ORDER (CO)**

**FAILURE TO ABATE CO**

Permittee Name: ALTON COAL DEVELOPMENT LLC

Inspector Number and ID: **37** **PBURTON**

Mine Name: COAL HOLLOW

Date and Time of Action: **02/25/2016** **1:00 pm**

Certified Return Receipt Number:

Date and Time of Service:

*In accordance with the provisions of the Utah Coal Mining and Reclamation Act,  
Utah Code Ann. § 40-10-1 et. seq. (Act), the above referenced Citation is:*

**Modified as follows:**

Notice of Violation 21163 is modified to require abatement required on or before March 15, 2016.

**Reason for modification:**

A submittal received on February 19, 2016 provided preliminary information, but did not fulfill the requirements of abatement which are described on the original citation issued January 20, 2016.

**Terminated because:**

**Vacated because:**

**KIRK NICHOLS**

(Print) Permittee Representative

**PRISCILLA BURTON**

(Print) DOGM Representative

Permittee Representative's Signature - Date

DOGM Representative's Signature - Date

*Refer to the "Citation For Non-Compliance" for additional information*