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DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

June 2, 2016

CERTIFIED MAIL

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

Subject: Rejection abatement NOV 21164 Pit 10 Backfill Application, Alton Coal Development, LLC, Coal Hollow Mine, C/025/0005

Dear Mr. Nicholes:

The Division received an unofficial application on May 23, 2016 describing a borrow area for reclamation of Pit 10 as abatement to NOV 21164. The Division reviewed this proposal and offers the following comments:

1. The soil to be salvaged from the borrow area derived from Tropic Shale (Map Unit 5). It is shallow in depth and clay in texture. Fractured shale is encountered at 32 inches. The report states that 7 inches of topsoil and 23 inches of subsoil could be recovered from the 30 acres. However, this is not supported by the soil survey which reports 5 inches of topsoil and 8-12 inches of suitable subsoil in Map Unit 5, as represented by soil samples DAH-24 and DAH-25. Below seventeen inches (5 inches topsoil and 12 inches subsoil) the clay subsoil has a high SAR and is of poor quality. Indeed, Appendix 2-3 of this plan describes a potential need for borrow material to reclaim the borrow area, which is unacceptable. To determine whether to proceed with the borrow in this location, the plan must provide analysis of a sample cores taken at the depth of the proposed post-mining borrow surface in accordance with Tables 3 & 7 of the Topsoil and Overburden Guidelines.
2. The plan must state the area of Pit 10 and the volume of topsoil and subsoil required for reclamation of Pit 10. The plan must provide the estimated volume of suitable subsoil to be salvaged and stockpiled from the borrow area for use on the Pit 10 reclamation.



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3. Drawing 5-9 shows an area to be mined beneath the borrow location. The area is labeled "reclamation area" on Drawing 5-10 Coal Removal Sequence. The strip ratio shown on Drawing 5-13 and the coal thickness isopach Drawing 5-14 should be revised to include potential coal recovery in the borrow area location. Following mining, the area should be shown as mined area on post mining topography cross sections 5-37A. Cross Section station locations must be shown on the plan view.
4. Please clarify a timeline of when Ditch 4 will be re-aligned and ensure operations are always to the south of the ditch during the backfilling of Pit 10.
5. Please state the acres of sage grouse mitigation done to date and state the acres of sage grouse mitigation required for the borrow area.

In a letter dated May 4, 2016, NOV 21164 abatement was extended until May 31, 2016 by John Baza, Director, Division of Oil Gas & Mining. The abatement was suspended pending Division review of your submittal. The Division's review took nine calendar days. The abatement time will hereby resume and the abatement time for a complete and accurate application is now June 10, 2016. Failure to abate the violation will result in a Cessation Order (R645-400-314).

Sincerely,



John Baza
Director

JRB/PWB/ss
cc: Steve Alder
John Baza
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