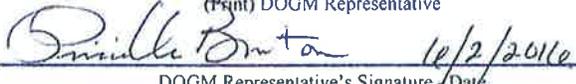


	Citation for Non-Compliance Utah Coal Regulatory Program 1594 West North Temple, Salt Lake City, UT 84114 Phone: (801) 538-5340 Fax: (801) 359-3940	Citation #: 21183
		Permit Number: C0250005
		Date Issued: 06/03/2016
<input checked="" type="checkbox"/> NOTICE OF VIOLATION	<input type="checkbox"/> CESSATION ORDER (CO)	<input type="checkbox"/> FAILURE TO ABATE CO
Permittee Name: ALTON COAL DEVELOPMENT LLC		Inspector Number and ID: 37 PBURTON
Mine Name: COAL HOLLOW		Date and Time of Inspection: 05/25/2016 4:00 pm
Certified Return Receipt Number: 7008 0150 0002 0896 5465		Date and Time of Service: 06/03/2016 5:00 pm
Nature of condition, practice, or violation: The excess spoil pile was over-excavated below the premining surface at the south disturbed area boundary of the excess spoil pile. The pre-mining surface grade was 10% (10h:1v). Surveyed elevations presented on May 31 confirmed that five acres of the land was cut 28 feet below premining topography, removing 72,000 CY of overburden and leaving a steep cut face (1.5h:1v).		
Provisions of Act, regulations, or permit violated: R645-300-141 and R645-300-142. <i>The following statement is repeated numerous times in the MRP: "Any shortage of material for final back fill of the Highwall Trench will be made up by re-handle of spoil from the long term excess spoil pile." to bring both the spoil pile structure and the highwall trench areas to AOC.</i> (MRP Sec. 528.310, sec 542.100, Sec 553).		
<input type="checkbox"/> This order requires Cessation of ALL mining activities. (Check box if appropriate.)		
<input type="checkbox"/> Condition, practice, or violation is creating an imminent danger to health or safety of the public.	<input type="checkbox"/> Permittee is/has been conducting mining activities without a Permit.	
<input type="checkbox"/> Condition, practice, or violation is causing or can reasonably be expected to cause significant, imminent environmental harm to land, air, or water resources.	<input type="checkbox"/> Permittee has failed to abate Violation(s) included in <input type="checkbox"/> Notice of Violation or <input type="checkbox"/> Cessation Order within time for abatement originally fixed or subsequently extended.	
<input type="checkbox"/> This order requires Cessation of PORTION(S) of mining activities.		
Mining activities to be ceased immediately: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Abatement Times (if applicable).
No further excavation below pre-mining topography may take place.		
Action(s) required: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Update the MRP narrative with plans for interim reclamation and stabilization of the cut slope affected. State the size of the area affected. Include volumes of spoil to be placed as fill. Describe plans to place fill in a controlled manner, blend contours, provide compaction, control drainage and erosion and to establish vegetation. Plans will be designed and certified by a P.E. Provide a timeline for the interim work. Provide existing and proposed interim reclamation contours on a map, with a commitment to provide an as-built survey of the reclamation construction. State in the MRP the volume of excess spoil remaining for other reclamation uses. Adjust the bond line items for all work accordingly. Provide these complete and adequate plans by August 2, 2016.		
KIRK NICHOLES (Print) Permittee Representative	PRISCILLA BURTON (Print) DOGM Representative	
_____ Permittee Representative's Signature - Date	 DOGM Representative's Signature / Date	
<u>SEE REVERSE SIDE Of This Form For Instructions And Additional Information</u>		

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

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Sent to
 Street, Apt. No. Kirk Nichols, Alton Coal Development, LLC
 or PO Box No. 463 No. 100 West, Suite 1
 City, State ZIP+4 Cedar City, Utah 84720

PS Form 3800 August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Kirk Nichols, Alton Coal Development
 463 No. 100 West, Ste 1
 Cedar City, UT 84720



2. Article Number (Transfer from service label)
 9590 9403 0577 5183 5397 85
 7008 0150 0002 0896 5465

COMPLETE THIS SECTION ON DELIVERY

- A. Signature X Agent
- B. Received by (Printed Name) C Date of Delivery
- D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

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- Adult Signature
 - Adult Signature Restricted Delivery
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 - Certified Mail Restricted Delivery
 - Collect on Delivery
 - Collect on Delivery Restricted Delivery
 - all Restricted Delivery
 - Priority Mail Express®
 - Registered Mail™
 - Registered Mail Restricted Delivery
 - Return Receipt for Merchandise
 - Signature Confirmation™
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