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State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

August 10, 2016

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

Subject: Final Extension of NOV 21164 Beyond 90 Days Alton Coal Development, LLC, Coal Hollow Mine, C/025/0005

Dear Mr. Nicholes:

In a meeting yesterday with Mr. Bob Nead we were made aware that there is need to slightly extend this deadline again because the soils lab did not meet the deadline promised to you. You indicated that the lab has now to analyzing the samples by August 10.

Pursuant to R645-400-327, circumstances which qualify a coal mining and reclamation operation for an abatement period beyond 90 days include, when a permittee has applied for and diligently pursued approval of plans or designs. It is clear that ACD has been actively pursuing approval of the plans for abatement of NOV 21164, therefore the abatement period is extended to allow adequate time for required plans to be submitted and approved. Your response is now due by August 17, 2016 and the abatement is hereby extended to August 31, 2016 to give the Division time to review and approve.

Please exercise all diligence in completing the required abatement with your submittal on August 17. This is the final time the period will be extended for this NOV. If you have any questions please call me at (801) 538-5334 or Daron Haddock at (801) 538-5325.

Sincerely,

John R. Baza
Director

JRB/DD/ss

cc: Daron Haddock
Priscilla Burton

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