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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 29, 2016

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

Subject: Extension of NOV 21183 Beyond 90 Days Alton Coal Development, LLC, Coal Hollow Mine, C/025/0005

Dear Mr. Nicholes:

It has been brought to my attention that the abatement for this violation cannot be reviewed by the Division until after NOV 21164 has been reviewed and you will therefore be submitting the needed permit changes on August 31. The Division will need some time beyond the 90-day limit to review the material.

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 unable to pursue approval of the plans for abatement of NOV 21183 while the abatement for 21164 was being reviewed, therefore the abatement period is extended to allow adequate time for Division review of your plans. Your response is now due by August 31, 2016 and the abatement is hereby extended to September 15, 2016 to give the Division time to review and approve.

Please exercise all diligence in completing the required abatement with your submittal on August 31, there is no guarantee of further extension 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

