



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

September 15, 2016

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

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

Dear Mr. Nicholes:

I have reviewed your request for a second extension to NOV 21183 beyond 90 days. In your request you state that the Division returned the abatement plans deficient on September 12 and you would like sufficient time to respond to the deficiencies and for the Division to approve that.

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 had been unable for almost the entire 90 days to pursue approval of the plans for abatement of NOV 21183 while the abatement for 21164 was being reviewed, and submitted abatement plans immediately thereafter. The abatement period is extended to allow adequate time for you to respond to deficiencies with that abatement plan and for Division review of your plans. Your response is now due by September 23, 2016 and the abatement is hereby extended to October 14, 2016 to give the Division time to review and approve.

Please exercise all diligence in completing the required abatement with your submittal on September 23, 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

O:\025005.COL\WG5267 PIT B1 N21183\21183Ext2.docx

