



# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
*Executive Director*

### Division of Oil, Gas and Mining

JOHN R. BAZA  
*Division Director*

May 4, 2018

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

Subject: 2017 Annual Report MRP Updates, Alton Coal Development, LLC, Coal Hollow, C/025/0005, Task ID #5652

Dear Mr. Nicholes:

The Division has reviewed your application. The Division has identified deficiencies that must be addressed before final approval can be granted. The deficiencies are listed as an attachment to this letter.

The deficiencies authors are identified so that your staff can communicate directly with that individual should questions arise. The plans as submitted are denied. Please resubmit the entire application by no later than June 8, 2017.

If you have any questions, please call me at (801) 538-5325.

Sincerely,

Daron R. Haddock  
Coal Program Manager

DRH/sqs  
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GARY R. HERBERT  
*Governor*  
SPENCER J. COX  
*Lieutenant Governor*

## Technical Analysis and Findings

### Utah Coal Regulatory Program

**PID:** C0250005  
**TaskID:** 5652  
**Mine Name:** COAL HOLLOW  
**Title:** 2017 ANNUAL REPORT MRP UPDATES

#### Reclamation Plan

##### Topsoil and Subsoil

###### Analysis:

The application meets the requirements of MRP Section 243 for sampling of the final topsoiled surface.

Sample locations are shown on Figure 1 (South Lease) and Figure 2 (North Lease) in 2017 Annual Report.

Samples 16TS1 - 10 correspond to BRP1-7 above the surface of SL HWT 2b and 3b (2016 Task 5306); Pits 9B and a portion of HWT 1-b and 2-a (2016 Task 5097); and a small portion of BRP1-1 above Pits 4, 7, & 8 (2015 Task 4965). These soils were sampled for nitrogen, phosphorus and potassium after nutrimulch was added. All values are adequate for native plant growth. Area 16TS-1 above HWT 3b (cross section B-B' sta 2.00+) was noted to have a low spot during the bond release inspection. This area should be monitored and tested for SAR if vegetation does not establish (Sec. 232.500, final paragraph).

Samples 17TS 1 - 7 correspond to Pits 9a & 9b and a portion of HWT 1-b (2016 Task 5097) and the former topsoil storage pile #4 location.

These soils were sampled for boron, selenium, nitrogen, phosphorus and potassium. Phosphorus and potassium values are similar to the 16TS samples. Concentrations of nitrogen in the soils are ten times less than the 16TS locations, perhaps because they were sampled before the nutrimulch was added. All values appear adequate for native plant growth.

Samples 17TS 9 - 11 represent topsoil above NL Pits 1-3 (2016, BRP1-10, Task 5306). Samples 17TS 12 - 14 represent topsoil above NL pits 4 - 6 (2017 BRP1-12, Task 5504). Samples 17TS 15 - 19 represent topsoil above NL pits 7 - 10 (2018 BRP1-13, Task 5597). All samples were analyzed for B, Se, N, P, and K. Values of 2 - 6 ppm nitrate nitrogen were reported. These samples were taken prior to nutrimulch addition. This area will be redisturbed at final reclamation of the topsoil and subsoil stockpiles. At that time, the topsoil evaluation will be repeated and fertilizer may be added as necessary.

Samples 17TS 20 - 33 were taken from the South Lease above Pit B1 (2017 BRP1-11), Pit 1B (2016 BRP1-6), the remaining excess spoil pile, and portions of Pits 1A, 2, 4, 7 and 8 (2015 BRP1-1). Samples were drawn prior to nutrimulch application. Boron, selenium, nitrogen, phosphorus and potassium were analyzed. These samples show similar trends to the other sampled areas. The excess spoil and Pit B1 subsoil have higher B and Se levels, but are not of concern. The N, P, K levels are all slightly lower. Much of the soil in this area will be re-sampled prior to substitute topsoil salvage. Its requirement for fertilization can be assessed at that time.

pburton

## Contemporaneous Reclamation General

### Analysis:

The application does not meet the requirements of R645-301-352, Contemporaneous Reclamation, because North Lease Dwg 5-76a was not provided.

Dwg 5-38 was provided and it outlines the acreage reclaimed in 2017. In that year, 17.5 acres were reclaimed in the South Lease (10.8 acres more than expected in 2017). There were also Phase 2 bond release actions

### Deficiencies Details:

The application does not meet the R645-301-352 requirements. The following deficiency must be addressed prior to final approval:

R645-301-352, Provide Dwg 5-76a (current as of December 31, 2017). Please include the number of acres reclaimed by year of reclamation ( i.e. 2016, 2017, not year 1, year 2).

pburton

## Maps Reclamation Treatments

### Analysis:

The amendment meets the State of Utah R645 requirements for Reclamation Treatments Maps.

This amendment is proposing to replace Drawing 5-38 with a current version that depicts updated reclamation activities in the South Lease. According to the current MRP, Drawing 5-38 shows 165.3 acres are scheduled for Phase II reclamation in 2019. The newest version of Drawing 5-38 decreases the 2019 reclamation acreage from 165.3 to 154.5 because 10.8 acres in the vicinity of Pits 1A, 1B and 2 were revegetated in 2017, two years earlier than anticipated.

jeatchel

## Maps Reclamation Certification Requirments

### Analysis:

The MRP Annual Report Update does not meet the requirements of R645-301-121,200, for being clear and concise with regard to reclamation treatments and bond release areas. Appendix 8-1 contains separate bond release figures for thirteen phase 1 bond release applications and two phase 2 bond release areas in the North and South Lease to date. Tracking the reclamation treatments (subsoil, topsoil, mulch/fertilizer/seed) by bond release area is a time consuming task with this scattered information. At this point, it is necessary for the Division to have a single map outlining the phase 1 and phase 2 bond release areas for the north and south leases. Each map should separately identify the phase 1 and 2 bond release areas with different hatch mark or shading, label the bond release increment by date (BRP1-2 (2015), BRP2-1 (2018) etc.), provide its acreage and reclamation treatment status (subsoiled, topsoiled, mulched,/fertilized/seeded pasture mix).

### Deficiencies Details:

The application does not meet the R645-301-121.200 requirements. The following deficiency must be addressed prior to final approval:

R645-301-121.200 and R645-301-820.113, Please provide a map outlining all phase 1 and phase 2 (and eventually phase 3) bond release areas in the South Lease and one map outlining all phase 1 (and eventually phase 2/phase 3) bond release areas in the North Lease. Each map should differentiate the phase 1 and 2 bond release areas by hatch mark or shading, label the bond release increment by date (BRP1-2 (2015), BRP2-1 (2018) etc.), provide its acreage and reclamation treatment status (subsoiled, topsoiled, mulched,/fertilized/seeded pasture mix). Provide this information now and include a commitment to update the MRP with these bond release maps annually, with the annual report.

pburton