



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 #: 10040
Permit Number: C0070019
Date Issued: 07/02/2009

NOTICE OF VIOLATION **CESSATION ORDER (CO)** **FAILURE TO ABATE CO**

Permittee Name: Andalex Resources, Inc., Tower Division **Inspector Number and ID:** 46 **PHESS**
Mine Name: Centennial Mine **Date and Time of Inspection:** 07/02/2009 9:30 am
Certified Return Receipt Number: *Hand Delivered* **Date and Time of Service:** 07/06/2009 3:30 PM

Nature of condition, practice, or violation:
Failure to meet the terms and conditions of the approved mining and reclamation plan for construction and operation of degasification wells GVH #1, GVH #6, and GVH #12.

Provisions of Act, regulations, or permit violated:
1) R645-300-142 and 143; Permit Conditions / R645-301-510, Operation and Reclamation Plan
2) R645-301-742.110; Failure to Maintain Sediment Control Measures (berms and silt fences).
3) R645-301-742.121; Failure to Retain Sediment within the Disturbed Area 4) Failure to Protect Topsoil
5) R645-301-742.113; Failure to Minimize Erosion to the Extent Possible 6) R645-301-521.251, Failure to Mark Disturbed Areas

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 checked="" 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.

This order requires Cessation of PORTION(S) of mining activities.

Mining activities to be ceased immediately: Yes No **Abatement Times (if applicable).**

Action(s) required: Yes No

1) The Permittee will bring degasification well sites #1, #6, and #12 into compliance with the aforementioned R645 Coal Mining Rules. The Permittee has 30 days to complete this remedial action (by August 5, 2009).

2) The Permittee will evaluate well sites GVH # 3, 4, 5, 5A, 7, 7A, 8, 8A, 9, and 11 and take appropriate action to bring those well sites into compliance with the R-645 Coal Mining Rules. Evaluation to be completed by August 5, 2009 and provided to DOGM.

3) Based upon the evaluation made in (2), the Permittee will reclaim all degasification wells which have been determined as having no future use for venting / mine ventilation enhancement or venting / commercial use of liberated gas volumes, (By 8 / 20 / 2009).

Mr. Dave Shaver (Print) Permittee Representative <i>[Signature]</i> Permittee Representative's Signature - Date	PETE HESS (Print) DOGM Representative <i>[Signature]</i> DOG M Representative's Signature - Date
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SEE REVERSE SIDE OF This Form For Instructions And Additional Information