

**NO. N** 94-34-1-3

To the following Permittee or Operator:

Name Andalex Resources, Inc.

Mine Wildcat Loadout  Surface  Underground  Other

County Carbon State UT Telephone (801) 637-5385

Mailing Address P.O. Box 902 Price, UT 84501

State Permit No. ACT/007/033

Ownership Category  State  Federal  Fee  Mixed

Date of inspection March 8, 1994, 19

Time of inspection 9:00  a.m.  p.m. to 3:30  a.m.  p.m.

Operator Name (other than Permittee) \_\_\_\_\_

Mailing Address \_\_\_\_\_

**notice of violation**

Under authority of the Utah Coal Mining and Reclamation Act, Section 40-10-1 et seq., *Utah Code Annotated*, 1953, the undersigned authorized representative of the Division of Oil, Gas & Mining has conducted an inspection of above mine on above date and has found violation(s) of the act, regulations or required permit condition(s) listed in attachment(s). This notice constitutes a separate Notice of Violation for each violation listed.

You must abate each of these violations within the designated abatement time. You are responsible for doing all work in a safe and workmanlike manner.

The undersigned representative finds that **cessation of mining is**  **is not**  expressly or in practical effect required by this notice. For this purpose, "mining" means extracting coal from the earth or a waste pile, and transporting it within or from the mine site.

This notice shall remain in effect until it expires as provided on reverse side of this form, or is modified, terminated or vacated by written notice of an authorized representative of the director of the Division of Oil, Gas & Mining. Time for abatement may be extended by authorized representative for good cause, if a request is made within a reasonable time before the end of abatement period.

**CERTIFIED RECEIPT**

P 074 978 397

Date of service/mailling 3/28/94

Time of service/mailling 3:00  a.m.  p.m.

MIKE GLASSON  
 Permittee/Operator representative

\_\_\_\_\_  
 Title

\_\_\_\_\_  
 Signature

JESSE KELLEY  
 Division of Oil, Gas & Mining representative

RECLAMATION ENGINEER  
 Title

Jesse W. Kelley  
 Signature

#34  
 Identification Number

**SEE REVERSE SIDE**

WHITE-DOG M YELLOW-OPERATOR PINK-OS M GOLDENROD-NOV FILE



**NOTICE OF VIOLATION NO. N 94-34-1-3**

Violation No. 1 of 3

Nature of violation

~~Stockpiled topsoil has been contaminated by wind borne coal fines.~~

Provisions of act, regulations or permit violated

R645-301-234.220

Portion of operation to which notice applies

Topsoil stockpiles B and C on the east side of the permit area.

Remedial action required (including any interim steps)

In order to comply with the above-cited regulations, the permittee must 1) submit, for Division approval, a plan for mitigating existing topsoil contamination and preventing further contamination, and 2) implement this plan once it has been approved by the Division.

Abatement time (including interim steps)

No later than 5:00 p.m., Friday, April 22, 1994



**NOTICE OF VIOLATION NO. N 94-34-1-3**

Violation No. 2 of 3

Nature of violation

Wind-borne coal fines have migrated outside of the disturbed area.

Provisions of act, regulations or permit violated  
R645-301-731.121

Portion of operation to which notice applies

The east edge of the permit area, in the vicinity of topsoil  
stockpiles B and C.

Remedial action required (including any interim steps)

In order to comply with the above-cited regulation, the permittee must  
1) submit, for Division approval, a plan for preventing the migration of  
wind-borne coal fines outside of the disturbed area and for cleaning up  
the coal fines already deposited outside of the disturbed area, and 2) implement  
this plan once it has been approved by the Division.

Abatement time (including interim steps)

No later than 5:00 p.m., Friday, April 22, 1994.



NOTICE OF VIOLATION NO. N 94-34-1-3

Violation No. 3 of 3

Nature of violation

The permittee has failed to maintain diversion ditches to the cross-sectional dimensions specified in the approved plan.

Provisions of act, regulations or permit violated

R645-301-742.312

Portion of operation to which notice applies

All disturbed area ditches; particularly ditches D-9, D-13, D-17, and D-18.

Remedial action required (including any interim steps)

In order to comply with the above-cited regulation, the permittee must clean, reshape, and/or reestablish all disturbed area ditches to at least the cross-sectional dimensions specified in the approved plan.

Abatement time (including interim steps)

No later than 5:00 p.m., Friday, April 8, 1994.