0011

State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor
Ted Stewart
Executive Director
James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

February 24, 1995

Ken Rait, Issues Director
Southern Utah Wilderness Alliance
1471 South 1100 East
Salt Lake City, Utah 84105

Re: Cessation Order C94-39-1-1, Andalex Resources, Inc., Wildcat Loadout, ACT/007/033, Folder #2, Carbon County, Utah

Dear Ken:

I am writing to follow-up on our recent correspondence concerning the above-identified Cessation Order issued to Andalex Resources. I am enclosing here a copy of a letter dated February 9, 1995, from Mark Bailey, area manager of the Price River Resource Area, notifying us that final mulching of the subject site was completed on February 8, 1995, and that Andalex's reclamation requirements have been met for the site. I am also enclosing a copy of a termination of the Cessation Order dated February 13, 1995, notifying Andalex that the abatement required by the Cessation Order has been completed and that the Cessation Order has been terminated.

If you have any other questions or concerns, please don't hesitate to contact me.

Very truly yours,

James W. Carter
Director

jbe
Enclosures (2)
H:C94-39-1.LTR

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Moab District
Price River Resource Area
900 North 700 East
Price, Utah 84501
(801) 637-4584

TAKE PRIDE IN AMERICA

IN REPLY REFER TO:

3612
UTU-71058
(UT-066)

RECEIVED
FEB 13 1995
DIV OF OIL, GAS & MINING

FEB - 9 1995

Mr. Jim Carter
Utah Division of Oil Gas and Gas and Mining
3 Triad Center
355 West North Temple
Salt Lake City, Utah 84180-1203

Dear Mr. Carter:

In December of 1994, we received notice that Andalex Resources was issued a cessation order (ACT 007/033, Cessation Order C94-39-1) for mining without a permit. Apparently one of Andalex's subcontractors, East Carbon Constructors (ECCI), had removed borrow material within right-of-way SL-015794 granted to the Utah Railway Company. The material was utilized in the construction of expanded facilities located within the Wildcat loadout facility (Federal right-of-way UTU-48027). Since the subject action occurred on lands administered by the Bureau of Land Management, we prescribed the required reclamation as indicated in the enclosure.

Andalex completed the required seeding, and fertilizing but was unable to mulch the site due to heavy snowfall. On February 8, 1995, the site was mulched according to our guidelines. Andalex Resources has met our reclamation requirements for this site.

If you have any questions, please feel free to contact Mark Mackiewicz of my staff at (801) 637-4584.

Sincerely,

Mark E. Bailey

Area Manager

Enclosure
Reclamation guidelines

cc: Mr. Mike Glasson
Andalex Resources Inc.
P. O. Box 902
Price, Utah 84501

cc: Mr. Steven J. Demczak
Price Field Office
Utah Division of Oil Gas and Mining
1451 E. 400 North C/O CEU
Price, Utah 84501

cc: Mr. Hank Requlski
East Carbon Constructors
P. O. Box 880
East Carbon, Utah 84520

3612
UTU-71058
(UT-066)

Reclamation Guideline
Andalex Resources

1. Andalex shall ensure that slopes do not exceed 3:1.

2. Andalex shall seed the slopes with the seed mixture(s) listed below. The seed mixture(s) shall be planted in the amounts specified in pounds of pure live seed (PLS)/acre. There shall be no primary or secondary noxious weed seed in the seed mixture. Seed shall be tested and the viability testing of seed shall be done in accordance with State law(s) and within six (6) months prior to purchase. Commercial seed shall be either certified or registered seed. The seed mixture container shall be tagged in accordance with State law(s) and available for inspection by the authorized officer.

   Seed shall be planted using a drill equipped with a depth regulator to ensure proper depth of planting where drilling is possible. The seed mixture shall be evenly and uniformly planted over the disturbed area. (Smaller/heavier seeds have a tendency to drop to the bottom of the drill and are planted first. The holder shall take appropriate measures to ensure this does not occur.) Where drilling is not possible, seed shall be broadcast and the area shall be raked or chained to cover the seed. When broadcasting the seed, the pounds per acre noted below are to be doubled. The seeding will be repeated until a satisfactory stand is established as determined by the authorized officer. Evaluation of growth will not be made before completion of the second growing season after seeding. The authorized officer is to be notified a minimum of fourteen (14) days prior to seeding of the project.

SEEDING MIXTURE

See Attached Seeding Mixture

*Rate is pounds per acre pure live seed drilled. Rate is doubled if seed is broadcast. Pure Live Seed (PLS) formula: % of purity of seed mixture times % germination of seed mixture = portion of seed mixture that is PLS.

3. Andalex shall apply fertilizer to all areas to be seeded utilizing the following specifications:

A. Commercial fertilizer with a formula of 16-16-8 shall be applied at a rate of 200 pounds per acre to the site.

B. Fertilizer shall be applied not more than 48 hours prior to seeding and cultivated into the upper 3 inches of soil.

C. Fertilizer shall be broadcast over the soil using hand operated "cyclone-type" seeders or rotary broadcast equipment attached to construction or revegetation machinery as appropriate to slope. All equipment shall be equipped with a metering device. Fertilizer application shall take place prior to the final seedbed preparation treatment. Fertilizer broadcasting operations shall not be conducted when wind velocities would interfere with even distribution of the material.

4. The holder shall mulch all disturbed areas designated by the authorized officer. The type of mulch shall meet the following requirements. Wood cellulose fiber shall be natural or cooked, shall disperse readily in water and shall be nontoxic. The homogeneous slurry or mixture shall be capable of application with power spray equipment. A colored dye that is non injurious to plant growth may be used when specified. Wood cellulose fiber shall be packaged in new, labeled containers. A minimum application of 2000 pounds per acre shall be applied. A suitable tackifier shall be applied with the mulch at a rate of 40 to 60 pounds

UTAH
NATURAL RESOURCES
Oil, Gas & Mining
3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340

gdh

VACATION/TERMINATION OF NOTICE OF VIOLATION/CESSATION ORDER

To the following Permittee or Operator:

Name ANDALEX RESOURCES INC.

Mailing Address P.O. BOX 902 PRICE, UT. 84501

State Permit No. ACT/007/033

Utah Coal Mining & Reclamation Act, Section 40-10-1 et seq., *Utah Code Annotated* (1953):

Notice of Violation No. N _____ dated _____, 19 ____.

Cessation Order No. C 94-39-1-1 dated 12-21, 19 94.

Part ____ ~~of~~ 8 is ☐ vacated ☒ terminated because See ATT. MEMO

Part ____ of ____ is ☐ vacated ☐ terminated because _____

Part ____ of ____ is ☐ vacated ☐ terminated because _____

CERTIFIED RETURN REICPT P 074 976 162

Date of service/mailing 2/13/95 Time of service/mailing 3:00 ☐ a.m. ☒ p.m.

MIKE GLASSON
Permittee/Operator representative

Title

MAILED FROM D.O.G.M. OFFICE
Signature

LOWELL BRAXTON
Division of Oil, Gas & Mining

ASSOCIATE DIRECTOR MINING
Title

Lowell P. Braxton
Signature

WHITE—DOGM YELLOW—OSM PINK—PERMITTEE/OPERATOR GOLDENROD—NOV FILE

an equal opportunity employer

5/85

Post-It™ brand fax transmittal memo 7671 | # of pages ▸

To Joe Halfrich	From SJD
Co. DOGM (COAL)	Co. Price
Dept.	Phone #
Fax #	Fax #

Moab District
Price River Resource Area
900 North 700 East
Price, Utah 84501
(801) 637-4584

3612
UTU-71058
(UT-066)

FEB - 9 1995

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3 Triad Center
355 West North Temple
Salt Lake City, Utah 84180-1203

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If you have any questions, please feel free to contact Mark Mackiewicz of my staff at (801) 637-4584.

Sincerely,

MARK E. BAILEY

Area Manager

Enclosure
Reclamation guidelines

✓cc: Mr. Mike Glasson
Andalex Resources Inc.
P. O. Box 902
Price, Utah 84501

ATTACHMENT to Termination notice for CO 94-39-1-1. DOGM concurs with the land-managing agency recommendation and Terminates the above C-O on that basis
LIBrefty 2-13-95

3612
UTU-71058
(UT-066)

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