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C/O15/032 Incoming  
cc: Steve C.  
PFO



# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

Utah State Office  
P.O. Box 45155  
Salt Lake City, UT 84145-0155  
<http://www.blm.gov/ut/st/en.htm>



RECEIVED  
JAN 20 2009  
DIV. OF OIL, GAS & MINING

JAN 13 2009

IN REPLY REFER TO:

3480  
UTU-68082  
UT (923)

Certified Mail—Return Receipt Requested 7008 0150 0001 1073 3510

Mr. David Hibbs  
Andalex Resources  
Genwal Resources, Inc.  
P.O. Box 1077  
Price, Utah 84501

Re: Non-compliance Mining Conducted on Federal Coal Lease UTU-68082

On October 1, 2008, Bureau of Land Management (BLM) issued a notice of non-compliance to Andalex Resources, Genwal Resources, Inc. (Andalex) for failure to comply with the approved resource recovery and protection plan (R2P2), dated August 17, 2007. The notice of non-compliance included the requirements to correct the noncompliance which were to be submitted to BLM within 60 days of receipt of the letter.

On November 20, 2008, Andalex requested "...an extension of time pending the resolution of the outstanding civil, criminal and administrative matters..." On December 1, 2008 BLM granted a two-week extension for BLM to respond to the Andalex request which was extended one day to December 16, 2008. On December 16, 2008, Andalex reiterated the November 20, 2008 request and provided additional information. BLM responded with a letter dated December 19, 2008, granting a one-time 30 day extension.

Andalex responded on January 6, 2009, stating:

The thirty day time period is not adequate time for the resolution of outstanding civil, criminal and administrative matters outlined in our extension request dated December 16, 2008. We would once again appreciate your consideration of a tolling agreement...

After due consideration of the request to further delay the requirements of the October 1, 2008 notice of non-compliance, BLM will not grant any additional extension for Andalex to fulfill the requirements of the notice of non-compliance.

If you have any questions, feel free to contact at: 801- 539-4038.

J.D. McKenzie

**/s/J D McKenzie**

Acting Chief, Solid Minerals Branch

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Files - UTU-68082  
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