



United States
Department of
Agriculture

Forest
Service

Allegheny National Forest
Marienville Ranger District

Rt. 66
Marienville, PA 16239
(814) 927-6628
FAX (814) 927-2285

File Code: 2830

Date: October 2, 2008

Harold R. Jackson, Jr.
Owner/President
S&T Service and Supply, Inc.
15267 Tionesta Road
Pleasantville, PA 16341

Dear Mr. Jackson,

S&T Service and Supply, Inc. has been cited by Forest Service Law Enforcement Officer Matthew Gearhart for two violations of the Code of Federal Regulations: 36CFR261.6(a) – Cutting or otherwise damaging any timber, tree, or other forest product, except as authorized by a special use authorization, timber sale contract, or Federal law or regulation and 36CFR261.10(a) – Constructing a road without a special use authorization, contract, or approved operating plan.

These citations are for your unauthorized construction of 0.65 mile of road from the end of Forest Service Road 387 to the site of a gas well owned by Duhring Resources Company located near the north side of Millstone Creek. S&T Service and Supply constructed this road independent of any coordination with the subsurface landowner, Duhring Resources Company, or the surface landowner, the USDA-Forest Service. In past operations on the Allegheny National Forest, S&T Service and Supply has coordinated any well plugging with the subsurface owner, which has in turn coordinated with the Forest Service.

In order to proceed with your well-plugging operation at the aforementioned site, Duhring Resources Company must secure a Commercial Road Use Permit (RUP) for access via FR 387. Once the Forest Service has received notice that the RUP fee has been paid, you will be given verbal notice by Mike Lewis, OGM Administrator on the Marienville Ranger District, that you may proceed with your well-plugging operation. I have discussed the need for the RUP with Mr. Steve Talchior of Duhring Resources Company, and we will both make every effort to expedite this process to get you back in operation as soon as possible.

Upon completion of your well-plugging operation, you are hereby directed to rehabilitate the area disturbed by the unauthorized road to a condition comparable to what existed prior to your road construction, and in a manner that will protect the rehabilitation until the disturbed areas have fully stabilized and recovered.

The Forest Service has identified the following resource damage resulting from your unauthorized road construction:

- Dozing of rocks, logs, native plants, and topsoil from the driving surface.
- Damage to trees and roots along driving surface.
- Placing fill and culverts in a headwater stream. This is an unnamed tributary to Scott Run in the West Branch Millstone Creek Watershed.



- Compaction of soil on road bed which will inhibit deep rooted vegetation from growing and reduce water infiltration.
- Creating road bed on a 25% slope which is about 150 feet in length with a high potential for erosion. This slope has sufficient buffer distance from the stream.

To facilitate the rehabilitation of the disturbed areas, you are directed to do the following:

- Scarify all disturbed areas to a depth of 3 inches to create a seed bed. Minimize disturbance to roots.
- Scarify the well pad surface to a depth of 6 inches.
- Top soil, rocks, and logs moved to construct the road will be pulled back on to the disturbed area. An excavator may be needed to complete this work.
- Remove fill, the placed boulder and pipes from the stream channel and blend with surrounding contours. Place erosion netting on both sides of the stream channel.
- State BMPs for water bar spacing on skid trails should be followed on slopes greater than 5 %. (see attachment). Pay special attention to the 12 % slope to the east of the stream (80 foot spacing of water bars) and the 25 % slope near the end of the road (40 foot spacing of water bars).
- Place boulders, branches, and dead trees or stumps for a distance of 100 feet at the transition from FR 387 to the unauthorized road to hinder/discourage equestrian travel within the rehabilitated road corridor.
- Seed road bed with recommended seed mix and mulch road bed at 3 tons per acre.

Recommended seed mix:

- Temporary and permanent seed mixtures should be in accordance with the Pennsylvania Oil and Gas Operators Manual (Chapter 4). However to avoid introducing non-native invasive plant species to the Allegheny National Forest, use the following:
 - Temporary cover or nurse crops: all mixtures and cover rates can be used but, for the late spring and summer seeding mixtures, do not use Japanese or foxtail millet or sudangrass.
 - Permanent seed mixtures: preferred cool season mixture is Number 3 using smooth bromegrass and birdsfoot trefoil. Mixture 1 using fine fescue, perennial ryegrass and birdsfoot trefoil may be used if Number 3 is not available, but it is our preference that fescue mixes not be used.
 - Mulch: straw is preferred in all cases. If hay is used, the source location and supplier shall be provided and every attempt should be made to obtain hay free of non-native invasive species.

When you are near completion of the well-plugging operation, you are directed to contact Mike Lewis at 814-927-5738 and arrange an on-site meeting to review the rehabilitation requirements. Upon completion of your well-plugging operation, you should move all well-plugging equipment from its current location to a location on FR 387 to be designated by Mike Lewis. When you have completed all rehabilitation work to the satisfaction of Mr. Lewis, you may then remove all of your equipment from the site.

If Mike Lewis is not available when you are near completion, you should contact Lauren Miles, OGM Administrator on the Marienville Ranger District, at 814-927-5737.

In the future, before S&T Service and Supply conducts any activity on the Allegheny National Forest, please assure that you and/or the subsurface owner for whom you are working has secured the proper permits and authorization from the USDA-Forest Service.

Sincerely,

/s/ Robert T. Fallon
ROBERT T. FALLON
District Ranger

cc: Arthur J. Stewart
Duhring Resources
203 Center St.
PO Box 726
Sheffield
PA 16347



Mailroom R9 Allegheny

Sent by: Cindi Talkington

10/02/2008 09:44 AM

To Leanne M Marten/R9/USDAFS@FSNOTES, Michael Lewis/R9/USDAFS@FSNOTES, Matthew E Gearhart/R9/USDAFS@FSNOTES, Charles M Keeports/R9/USDAFS@FSNOTES, Daniel M Tollini/R9/USDAFS@FSNOTES, James Seyler/R9/USDAFS@FSNOTES, Paul Weese/R9/USDAFS@FSNOTES, Anthony Scardina/R9/USDAFS@FSNOTES, Lauren Miles/R9/USDAFS@FSNOTES
cc Rob T Fallon/R9/USDAFS@FSNOTES

bcc

Subject 2830; Unauthorized Access on National Forest Land

This is how the letter went out. I did not get any revision before finalizing.

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