



STATE OF UTAH  
NATURAL RESOURCES  
Oil, Gas & Mining

Norman H. Bangerter, Governor  
Dee C. Hansen, Executive Director  
Dianne R. Nielson, Ph.D., Division Director

355 W. North Temple • 3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340

December 27, 1985

Mr. Charles Gent  
Genwal Coal Company, Inc.  
P. O. Box 1201  
Huntington, Utah 84528

Dear Mr. Gent:

RE: Notice of Violation N85-4-5-2, #2 of 2, Crandall Canyon Mine, ACT/015/032, #7, Emery County, Utah

The above-mentioned Notice of Violation (NOV) was issued to Genwal Coal Company, Inc., February 22, 1985, "for failure to mine in accord with an approved permit." At issue was relocation of facilities south of the U. S. Forest Service (USFS) development-road crossing the mine site. Submission of plans proposing facility relocation on May 23, 1985, satisfied the remedial portion of this NOV resulting in termination of NOV N85-4-5-2, #2 of 2, on May 23, 1985. Deficiencies in these, and subsequently submitted plans did not allow construction resulting in on-the-ground compliance in the third and fourth quarters of 1985. My August 2, 1985, letter to you stressed the need to complete construction in satisfaction of these requirements by October 15, 1985. Deficiencies in plans submitted to the Division of Oil, Gas and Mining (DOGM) through that date precluded fourth quarter 1985 construction.

On November 1, 1985, members of my staff met and reviewed compliance options that included the issuance of a Cessation Order for your failure to meet the above-referenced deadlines. In that meeting, DOGM staff recognized:

- A. that complete on-the-ground compliance construction would be difficult to achieve in the fourth quarter 1985, and in early 1986, due to winter field conditions; and,

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- B. cessation of operations by Genwal would not, in all probability, reduce the potential for adverse environmental impact due to the above-referenced failure to comply.

With this understanding, DOGM staff met with you and Andy King on November 1, 1985, and discussed the strategy that would accommodate continued mining operations while mandating temporary stabilization measures that would reduce the potential for environmental degradation during the winter and spring seasons when field surface construction activities are precluded. Division staff met with your representative, Mr. King, on November 6, 1985, and formulated these measures which are summarized in Mr. Braxton's November 19, 1985, letter to Mr. King, a copy of which is attached. A mid-term permit review schedule was also discussed, satisfaction of which will ensure early summer 1986 construction that will resolve these issues.

The Division cannot condone Genwal's failure to operate in compliance with Genwal Coal Company, Inc.'s approved Crandall Canyon Mining and Reclamation Plan (MRP) and directs that the schedule enumerated in the November 19 letter must be followed in order to achieve the on-the-ground solution to the mutual regulatory impasse. DOGM will continue to inspect your facility through the 1985/1986 winter and spring season to ensure compliance with the portions of your permit, and the conditionally approved stabilization measures.

Should additional information with regard to the above be required, please contact Lowell P. Braxton of my staff.

Best regards,



Dianne R. Nielson  
Director

btb  
Enclosure  
cc: Allen Klein  
Ken May  
Lowell Braxton  
Wayne Hedberg  
Joe Helfrich  
Sue Linner  
0168R-18 & 19



STATE OF UTAH  
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L.P.B.  
Norman H. Bangert, Governor  
Dee C. Hansen, Executive Director  
Dianne R. Nielson, P.D., Division Director

355 W. North Temple • 3 Trade Center • Suite 350 • Salt Lake City, UT 84160-1203 • 801-538-5340

November 19, 1985

CERTIFIED RETURN RECEIPT REQUESTED  
(P402 4576 262)

Mr. Andrew C. King  
Permitting Coordinator  
Genwal Coal Company, Inc.  
P. O. Box 1201  
Huntington, Utah 84528

Dear Mr. King:

Re: Conditional Approval of Temporary Stabilization Measures,  
Winterization of Crandall Canyon Mine, ACT/015/032, #4 and  
#7, Carbon County, Utah

The Division has completed its review of your letter received November 8, 1985 which addresses the temporary stabilization measures which Genwal will implement to "winterize" the Crandall Canyon Mine site. The letter was submitted in response to specific requirements discussed during our November 6, 1985 meeting in Salt Lake City.

The following comments and conditions will address the adequacy of your submittal by reference to the specific numbers in your letter:

1. All excavated materials must be disposed of within the currently disturbed area. The material should not be used to create a diversion along the western edge of the property as discussed in the November 7 letter, as this would increase the disturbed area.

During pond excavation and emplacement of the fill materials, all of the disturbed areas must be graded to grain to the sediment pond.

The clay liner must be replaced as required in the original pond designs. This is to include any holes in the existing liner and the expanded excavated area of the pond.

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Mr. Andy King

ACT/015/032

November 19, 1985

All construction activities associated with pond enlargement should be completed by December 9, 1985.

2. The plans for cleanout and extension of the upper cut-off ditch will be adequate until the new site facilities plans are submitted and approved.
3. The removal of the berm along the ditch adjacent to the truck loading area is hereby approved.
4. The one inch hole in the riser pipe must be plugged by December 2, 1985.
5. The plans for drilling and installation of the piezometer in the sediment pond embankment must be received by December 2, 1985. The plan should include specific provisions for monitoring and contingency measures which will be implemented should monitoring indicate saturation of the embankment materials.

These measures will be considered adequate only as interim stabilization measures until the permanent updated designs are finalized and approved by the Division (as per the Mid-Term Permit Review letter dated November 12, 1985).

Genwal also has not provided the spring and seep summary information and proposed monitoring scheme which was due October 31, 1985. Genwal has indicated that the fall survey has been performed and that the report is pending completion. This information is of primary importance to determine the technical adequacy of the mid-term permit review and proposed mine plan development into the Tract II lease.

Genwal's letter of October 22, 1985 did not request an extension to provide the required information, nor indicate a date when the information would be submitted for review. Consequently, a deadline of December 2, 1985 has been established to provide the report and obtain approval from the Division for a spring and seep monitoring program in accordance with the Modification of Notice of Violation N85-4-7-2, #1 of 2, given to you on November 18, 1985 by David Lof.

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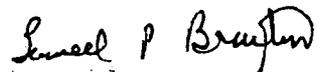
Mr. Andy King

ACT/015/032

November 19, 1985

Please respond to the remaining concerns within the time frames established above. Should questions arise please call me or D. Wayne Hedberg of my staff.

Sincerely,



Lowell P. Braxton

Administrator

Mineral Resource Development  
and Reclamation Program

DWH:jvb

cc: Rick Holbrook  
Reed Christensen  
Ken May  
Dave Cline  
Joe Helfrich  
Sue Linner  
Dave Lof  
Rick Summers

8992R-78-80



### MODIFICATION OF NOTICE OF VIOLATION / CESSATION ORDER

To the following Permittee or Operator:

Name GENERAL COAL CO.

Mailing Address P.O. Box 1201 HUNTINGTON, UT 84527

State Permit No. ACT/015/032

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

Notice of Violation No. N 85-4-7-7 dated MARCH 12/ 1985

Cessation Order No. C \_\_\_\_\_ dated \_\_\_\_\_, 19 \_\_\_\_\_

Part 1 of 2 is modified as follows: REMEDIAL ACTIONS REQUIRED:

A) SUBMIT THE INFORMATION AND CONCLUSIONS FROM THE SPRING & FALL 1985 SPRING & SEEP SURVEYS IN A FORMAT THAT CAN BE INCORPORATED INTO THE MRP

B) OBTAIN A SPRING & SEEP MONITORING PROGRAM APPROVAL FROM THE DIVISION.

Reason for modification is \_\_\_\_\_

Part \_\_\_\_\_ of \_\_\_\_\_ is modified as follows: TIME FOR ABATEMENT: A) DECEMBER 2, 1985 B) DECEMBER, 1985.

Reason for modification is \_\_\_\_\_

Part \_\_\_\_\_ of \_\_\_\_\_ is modified as follows: \_\_\_\_\_

Date of service/ mailing 11/18/85

Time of service/ mailing 12:15  a.m.  p.m.

Permittee/Operator representative  
[Signature]  
Signature

Title \_\_\_\_\_

DAVID LOFF #4  
Division of Oil, Gas & Mining  
[Signature]  
Signature

MINING FIELD SPECIALIST  
Title