



STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

File
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

June 10, 1987

CERTIFIED RETURN RECEIPT REQUESTED
P 001 720 847

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

Dear Mr. King:

Re: Finalized Assessment for State Violation No. N87-4-1-1,
ACT/015/032, Folder, #5, Emery County, Utah

The civil penalty for the above-referenced violation has been finalized. This assessment has been finalized as a result of a review of all pertinent data and facts including those presented in the assessment conference by you or your representative and the Division of Oil, Gas and Mining inspector.

Within fifteen (15) days of your receipt of this letter, you or your agent may make a written appeal to the Board of Oil, Gas and Mining. To do so, you must have escrowed the assessed civil penalty with the Division within a maximum of thirty (30) days of receipt of this letter, but in all cases prior to the Board Hearing. Failure to comply with this requirement will result in a waiver of your right of further recourse.

If no timely appeal is made, this assessed civil penalty must be tendered within thirty (30) days of your receipt of this letter. Please remit payment to the Division, mail % Vicki Bailey at the address listed above.

Thank you for your cooperation.

Sincerely,

A handwritten signature in cursive script that reads "Barbara W. Roberts".

Barbara W. Roberts
Assessment Conference Officer

re

cc: John C. Kathmann, OSM AFO

WORKSHEET FOR FINAL ASSESSMENT OF PENALTIES
UTAH DIVISION OF OIL, GAS AND MINING

COMPANY/MINE Genwal Coal Co. NOV # N87-4-1-1
 PERMIT # ACT/015/032 VIOLATION 1 OF 1
 Assessment Date 06-08-87 Assessment Officer Barbara W. Roberts

Nature of violation: Failure to mine in accordance with an approved permit; failure to comply with the groundwater monitoring plan approved by the Division.

Date of termination: _____

| | <u>Proposed Assessment</u> | <u>Final Assessment</u> |
|-------------------------------|--------------------------------|-----------------------------|
| (1) History/Prev. Vio. | <u>25</u> | <u>N/A</u> |
| (2) Seriousness | | |
| (a) Probability of Occurrence | _____ | _____ |
| Extent of Damage | _____ | _____ |
| (b) Hindrance to Enforcement | <u>13</u> | <u>N/A</u> |
| (3) Negligence | <u>23</u> | <u>N/A</u> |
| (4) Good Faith | <u>0</u> | <u>0</u> |
| TOTAL | <u>61</u> | <u>N/A</u> |
| | TOTAL ASSESSED FINE | \$ <u>N/A</u> |

3. Narrative:
 (Brief explanation for any changes made in assignment of points and any additional information that was available after the proposed assessment.)

This violation is vacated for the reason that the Division had granted an additional amount of time within which to drill the water monitoring well.

0448Q