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State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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Governor

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355 West North Temple
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Salt Lake City, Utah 84180-1203
801-538-5340

November 29, 1990

CERTIFIED RETURN RECEIPT REQUESTED
P 074 978 803

Mr. Allen Childs
Genwal Coal Company
P. O. Box 1201
Huntington, Utah 84528

Dear Mr. Childs:

Re: Finalized Assessment for State Violation No.90-17-4-2
#'s 1 & 2, 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 escrow 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 c/o Vicki Bailey at the address listed above.

Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tom Mitchell', written over a large, stylized scribble.

Tom Mitchell
Assessment Conference Officer

jb
Enclosure
cc: John C. Kathmann, OSM, AFO

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

COMPANY/MINE Genwal Coal Company/Crandall Canyon

NOV # 90-17-4-2

PERMIT # ACT/015/032

VIOLATION 1 of 2

Assessment Date 11/27/90

Assessment Officer Tom Mitchell

Nature of
Violation: Failure to maintain diversion ditches

Date of Termination: 10/16/90

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Previous Violations	<u>0</u>	<u>0</u>
(2) Seriousness		
(a) Probability of Occurrence	<u>0</u>	<u>0</u>
Extent of Damage	<u>5</u>	<u>5</u>
(b) Hindrance to Enforcement	<u>-</u>	<u>-</u>
(3) Negligence	<u>10</u>	<u>10</u>
(4) Good Faith	<u>-</u>	<u>- 5</u>
Total Points	<u>15</u>	<u>10</u>
TOTAL ASSESSED FINE		<u>\$ 100.00</u>

NARRATIVE:

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

Abatement completed in a timely manner, thus good faith points are awarded.

jb

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

COMPANY/MINE Genwal Coal Company/Crandall Canyon

NOV # 90-17-4-2

PERMIT # ACT/015/032

VIOLATION 2 of 2

Assessment Date 11/27/90

Assessment Officer Tom Mitchell

Nature of

Violation: Failure to construct facilities in accordance with approved plan.

Date of Termination: 9/19/90 - Effective 9/14/90

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Previous Violations	<u>0</u>	<u>0</u>
(2) Seriousness		
(a) Probability of Occurrence	<u>20</u>	<u>20</u>
Extent of Damage	<u>0</u>	<u>0</u>
(b) Hindrance to Enforcement	<u>-</u>	<u>-</u>
(3) Negligence	<u>8</u>	<u>8</u>
(4) Good Faith	<u>-15</u>	<u>-15</u>
Total Points	<u>13</u>	<u>13</u>
TOTAL ASSESSED FINE		<u>\$ 130.00</u>

NARRATIVE:

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

jb