



# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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November 29, 1990

CERTIFIED RETURN RECEIPT REQUESTED  
P 074 978 802

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

Dear Mr. Childs:

Re: Finalized Assessment for State Violation No. 90-18-1-1,  
90-17-3-2 #'s 1 and 2, and 90-17-5-2 #'s 1 and 2,  
ACT/015/032, Folder #5, Emery County, Utah

The civil penalty for the above-referenced violations have been finalized. These assessments have 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 penalties 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, these assessed civil penalties 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,

Tom Mitchell  
Assessment Conference Officer

jb  
cc: John C. Kathmann, OSM, AFO  
MNACT15032

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

COMPANY/MINE Genwal Coal Company

NOV # 90-18-1-1

PERMIT # ACT/015/032

Violation 1 of 1

Assessment Date 11/27/90

Assessment Officer Tom Mitchell

Nature of  
Violation: Unauthorized mining activites

Date of Termination: 8/31/90 - Abated on or about 8/16/90

	<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>-</u>	<u>-</u>
Extent of Damage	<u>-</u>	<u>-</u>
(b) Hindrance to Enforcement	<u>10</u>	<u>10</u>
(3) Negligence	<u>5</u>	<u>5</u>
(4) Good Faith	<u>-10</u>	<u>-10</u>
Total Points	<u>5</u>	<u>5</u>
TOTAL ASSESSED FINE		<u>\$ 50.00</u>

**NARRATIVE:**

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

Proposed assessment appropriate; finalized at original points.

jb  
MNACT15032.1

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

COMPANY/MINE Genwal Coal Company/Crandall Canyon

NOV # 90-17-3-2

PERMIT # ACT/015/032

VIOLATION 1 of 2

Assessment Date 11/27/90

Assessment Officer Tom Mitchell

Nature of

Violation: Occurrence of mining related activities within a stream buffer zone

Date of Termination: 8/29/90 - Effective on or about 8/17/90

	<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>5</u>	<u>5</u>
Extent of Damage	<u>8</u>	<u>8</u>
(b) Hindrance to Enforcement	<u>-</u>	<u>-</u>
(3) Negligence	<u>8</u>	<u>8</u>
(4) Good Faith	<u>-</u>	<u>-15</u>
Total Points	<u>21</u>	<u>6</u>
TOTAL ASSESSED FINE		<u>\$ 60.00</u>

**NARRATIVE:**

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

Good faith points awarded for diligence in abating the violation.

jb

MNACT15032.2

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

COMPANY/MINE Genwal Coal Company/Crandall Canyon

NOV # 90-17-3-2

PERMIT # ACT/015/032

VIOLATION 2 of 2

Assessment Date 11/27/90

Assessment Officer Tom Mitchell

Nature of  
Violation: Unauthorized mining activities

Date of Termination: 10/25/90 - Effective 10/24/90

	<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>8</u>	<u>8</u>
(b) Hindrance to Enforcement	<u>-</u>	<u>-</u>
(3) Negligence	<u>8</u>	<u>8</u>
(4) Good Faith	<u>- 0</u>	<u>-16</u>
Total Points	<u>36</u>	<u>20</u>
TOTAL ASSESSED FINE		<u>\$ 200.00</u>

**NARRATIVE:**

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

Diligence exercised by permittee to abate the violation.

jb

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

COMPANY/MINE Genwal Coal Company/Crandall Canyon

NOV # 90-17-5-2

PERMIT # ACT/015/032

VIOLATION 1 of 2

Assessment Date 11/27/90

Assessment Officer Tom Mitchell

Nature of  
Violation: Subsidence monitoring

Date of Termination: 10/1/90 - Effective 9/19/90

	<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>-</u>	<u>-</u>
Extent of Damage	<u>-</u>	<u>-</u>
(b) Hindrance to Enforcement	<u>5</u>	<u>5</u>
(3) Negligence	<u>8</u>	<u>8</u>
(4) Good Faith	<u>-</u>	<u>- 5</u>
Total Points	<u>13</u>	<u>8</u>
TOTAL ASSESSED FINE		<u>\$ 80.00</u>

**NARRATIVE:**

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

Good faith points awarded after termination of the violation.

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

COMPANY/MINE Genwal Coal Company/Crandall Canyon

NOV # 90-17-5-2

PERMIT # ACT/015/032

VIOLATION 2 of 2

Assessment Date 11/27/90

Assessment Officer Tom Mitchell

Nature of

Violation: Water monitoring

Date of Termination: Effective 9/7/90

	<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>-</u>	<u>-</u>
Extent of Damage	<u>-</u>	<u>-</u>
(b) Hindrance to Enforcement	<u>8</u>	<u>0</u>
(3) Negligence	<u>8</u>	<u>0</u>
(4) Good Faith	<u>-</u>	<u>-</u>
Total Points	<u>16</u>	<u>0</u>
TOTAL ASSESSED FINE		<u>\$ - 0 -</u>

**NARRATIVE:**

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

No hindrance or negligence occurred as a result of the violation.

jb