



# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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

355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203  
801-538-5340

April 28, 1992

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

Dear Mr. Childs:

Re: Remaining Deficiencies. Chapter 2 Revision and Abatement of N92-37-2-1, Genwal Coal Company, Inc., Crandall Canyon Mine, ACT/015/032-92D, Folder #2, Emery County, Utah

The version of Chapter 2 received by the Division on April 10, 1992 has been found to be inadequate for abatement of violation N92-37-2-1. A revision was received by the Division on April 24, 1992. A few deficiencies remain to be resolved prior to abatement of this violation.

An extension of the abatement date from May 1 to May 15, 1992 is deemed necessary to achieve compliance. A modification of the Notice of Violation, with an extended abatement date, and a technical review of the resubmitted Chapter is included with this letter for your information.

Thank you for your cooperation and timely delivery of the required information in the matter of N92-37-2-1.

Sincerely,

Daron Haddock  
Permit Supervisor

PB  
Enclosure  
cc: Insp. Ntbk.

92-37-2.1#2



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DATE: April 28, 1992

TO: Daron Haddock, Permit Supervisor

FROM:  Priscilla Burton, Inspector

RE: Remaining Deficiencies in Chapter 2. Information Received for the Abatement of NOV 92-37-2-1. Genwal Coal Co. Crandall Canyon Mine. ACT/015/032-92D. Folder #2, Emery County, Utah.

## SUMMARY:

The abatement date for NOV 92-37-2-1 was April 11, 1992. A revised Chapter 2, Legal and Financial Information, was received April 10, 1992. A Technical Deficiency Analysis was sent to the operator on 4/17/92. A response was received on April 24, 1992. This review itemizes the few remaining deficiencies in the Chapter.

No extension of abatement time is recommended.

## TECHNICAL DEFICIENCY ANALYSIS:

- 120. Permit Application Format and Contents.
- 121. The permit application will:
  - 121.100. Contain current information, as required by R645-200, R645-300, R645-301 and R645-302.

### Item 1, The Applicant

#### Proposal:

Section 2.2 Identification of Interests lists Genwal Coal Company as the applicant on page 2-1. Page 2-9 of this same section lists Genwal as both applicant and permittee.

#### Analysis:

Although NEICO and IPA have sole ownership in the leases being mined, by agreement of all parties involved, Genwal remains applicant (permittee) and operator.

On page 2-9, NEICO/IPA are referred to as the applicant.

#### Deficiency:

1. Genwal must not refer to NEICO/IPA as the applicant within Chapter 2, if as stated on page 2-1 Genwal Coal Co. is the applicant, please revise page 2-9 accordingly.

Item 2, Holders of Record of Leasehold Interest

Proposal:

Page 2-2, Section 2.2, topic "Holders of record of any leasehold interest in the coal to be mined," lists Genwal Coal Co. as the holder of record of Lease, SL-062648. Lease U-547562 is mentioned in this section and again on page 2-7. Page 2-7 provides a further description of this lease.

Analysis:

The discussion of the "Holders of record of any leasehold interest in the coal to be mined" section is disrupted by the "Purchasers of record under real estate contract," by "Information on the Permittee," and by the "Legal, financial compliance and related information (names, addresses of officers and directors)." The information on Lease U54762 ownership belongs on page 2-2.

Deficiency:

1. Information on page 2-7 concerning Lease U54762 is out of place and must be moved to page 2-2 where the topic of the holders of record of leasehold interest in the coal to be mined is discussed.

Item 6, Plates

Proposal:

Plates 2-1 (Lease Boundary Map) and 3-3 (Mining Projections) were received with this application. Plate 2-2 was removed from the plan.

Analysis:

Plate 3-3 is referred to on page 2-10, where the text states that starting and termination dates in one year increments are shown on the plate. It is not possible to tell the mining sequence from plate 3-3. Plate 3-3 serves only to show the lease boundaries. Page 2-10 should refer the reader to Plate 3-3A for yearly mine progression information. This plate is being submitted and reworked in accordance with Division Order ACT/015/032-92A.

Deficiency:

1. Genwal Coal Co. must revise page 2-10 to refer the reader to Plate 3-3A for yearly mining progression information.

Item 7, Pending bids on interests held or made by the applicant  
Proposal:

The application does not contain a *statement of all lands, interest in lands, options or pending bids on interests held or made by the applicant for lands contiguous to the area described in the permit application (R645-301-112.800)..*

Analysis:

Lease Boundary Adjustments are indicated on plates 2-1 and 3-3. Information on pending bids on leases for lands contiguous to the present leases must also be included within the narrative. This information is being requested under Division Order ACT/-015/032-92A and is not required for abatement of this violation.

Item 8, Bonding (R645-301-820)

Proposal:

Chapter 2, page 2-11, refers to the performance bond in Appendix 2-9.

Analysis:

The performance bond, Appendix 2-9, was not replaced with this submittal. The present performance bond in App 2-9 is outdated. The current bond is for \$268,000.00 and covers the disturbance of 5.6 acres. This surety bond #4689175 was issued in May of 1990 and accompanied the April 22, 1991 Permit for ACT/015/032. There is no requirement to include bonding within the Mining and Reclamation Plan, although R645-301-820.113 requires that the *Operator will identify the initial and successive areas or increments for bonding on the permit application map submitted for approval as provided in the application.* Therefore, within the application the bonded area must be portrayed on a map within the application. Since Genwal Coal Co. has chosen to provide a copy of the bond in App 2-9, it must be an updated version.

Deficiency:

1. Information in Chapter 2 (Appendix 2-9) must be updated to reflect the current surety bond on the disturbed acreage.

**SUMMARY:**

Corrections of the following pages are required prior to

Page 4  
ACT/015/032-92D  
4/17/92

termination of NOV 92-37-2-1: 2-1, 2-2, 2-7, 2-9, 2-10 and  
Appendix 2-9.

A:GENABATE.#2