



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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Salt Lake City, Utah 84180-1203
801-538-5340

June 19, 1992

CERTIFIED RETURN RECEIPT REQUESTED
P 074 979 252

Mr. Allen Childs
Genwal Coal Company
195 North 1st West
P.O. Box 1201
Huntington, Utah 84528

Dear Mr. Childs 

Re: Finalized Assessment for State Violation #N91-15-2-3, Genwal Coal Company, Crandall Canyon Mine, 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,



Ronald W. Daniels
Assessment Conference Officer

jbe

Enclosure

cc: Bernie Freeman, OSM, AFO

an equal opportunity employer

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

COMPANY/MINE Genwal Coal Co./Crandall Canyon Mine NOV #N91-15-2-3

PERMIT # ACT/015/032 VIOLATION 1 of 3

Assessment Date 06/18/92 Assessment Officer Ronald W. Daniels

Nature of Violation:

Conducting activities without approval from the Division. Constructing surface facilities without an approved amendment to the mining and reclamation plan.

Date of Termination: 12/15/91

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Previous Violations	<u>1</u>	<u>1</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>-0</u>	<u>-0</u>
Total Points	<u>29</u>	<u>29</u>
TOTAL ASSESSED FINE		<u>\$ 380.00</u>

NARRATIVE:

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

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

COMPANY/MINE Genwal Coal Co./Crandall Canyon Mine NOV #N91-15-2-3

PERMIT # ACT/015/032 VIOLATION 2 of 3

Assessment Date 06/18/92 Assessment Officer Ronald W. Daniels

Nature of Violation:

Failure to comply with permit condition in that an updated accurate map of the surface facilities had not been submitted.

Date of Termination: 04/22/92

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Previous Violations	<u>1</u>	<u>1</u>
(2) Seriousness		
(a) Probability of Occurrence	<u> </u>	<u> </u>
Extent of Damage	<u> </u>	<u> </u>
(b) Hindrance to Enforcement	<u>15</u>	<u>15</u>
(3) Negligence	<u>8</u>	<u>8</u>
(4) Good Faith	<u>-0</u>	<u>-0</u>
Total Points	<u>24</u>	<u>24</u>
TOTAL ASSESSED FINE		\$ <u>280.00</u>

NARRATIVE:

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

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

COMPANY/MINE Genwal Coal Co./Crandall Canyon Mine NOV #N91-15-2-3

PERMIT # ACT/015/032 VIOLATION 3 of 3

Assessment Date 06/18/92 Assessment Officer Ronald W. Daniels

Nature of Violation:

Failure to maintain bypass culvert in a functional state.

Date of Termination: 11/08/91

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Previous Violations	<u>1</u>	<u>1</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>23</u>	<u>23</u>
(4) Good Faith	<u>-0</u>	<u>-7</u>
Total Points	<u>44</u>	<u>37</u>
TOTAL ASSESSED FINE		<u>\$ 540.00</u>

NARRATIVE:

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

Operator is considered eligible for good faith/rapid compliance points in abating the violation. This was an "easy abatement" category and termination was in the first half of the abatement period required.