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State of Utah

GARY R. HERBERT  
Governor

GREG BELL  
Lieutenant Governor

Department of  
Environmental Quality

Amanda Smith  
Executive Director

DIVISION OF WATER QUALITY  
Walter L. Baker, P.E.  
Director

C/015/032 Incoming  
CC: Steve C.

&

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DIVISION OF OIL, GAS & MINES

December 22, 2009

**CERTIFIED MAIL**  
**(Return Receipt Requested)**

Mr. David Hibbs, President & CEO  
UtahAmerican Energy, Inc.  
Genwal Resources, Inc.  
P.O. Box 910  
East Carbon, UT 84520

Dear Mr. Hibbs:

Subject: Public Notice of Proposed Settlement Agreement Docket Nos. I09-02SA & I09-18SA,  
UPDES Permit No. UT0024368 – Genwal Resources Crandall Canyon Mine.

Enclosed is a copy of the Public Notice of the proposed Settlement Agreement between the Utah Water Quality Board and Genwal Resources, Inc. This information will also be made available on-line at <http://www.waterquality.utah.gov/PublicNotices/index.htm> during the 30-day Public Notice period.

If you have any questions with regards to this matter, please contact Jeff Studenka at (801) 538-6779 or via e-mail at [jstudenka@utah.gov](mailto:jstudenka@utah.gov).

Sincerely,

Michael Herkimer, Manager  
UPDES IES Section

MH:js:ev

Enclosures: PN Document

cc (w/ encl.): Amanda Smith, Department of Environmental Quality  
Fred Nelson, Assistant Attorney General  
Amy Clark, U.S. EPA Region 8 Enforcement (8ENF-T)  
Claron Bjork, SE Utah District Health Department  
Dave Ariotti, DEQ District Engineer  
Daron Haddock, Division of Oil Gas & Mines

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December 22, 2009

The Sun Advocate  
845 East Main  
Price, UT 84501

Email: [legals@sunad.com](mailto:legals@sunad.com)

ATTENTION: Legal Advertising Department

This letter will confirm authorization to publish the attached NOTICE in The Sun Advocate in the first available edition. Please mail the invoice and affidavit of publication to:

Department of Environmental Quality  
Division of Water Quality  
Attn: Jalynn Knudsen  
288 N. 1460 W.  
P.O. Box 144870  
Salt Lake City, Utah 84114-4870

If there are any questions, please contact Edith Van Vleet at (801) 538-7015. Thank you for your assistance.

Sincerely,

Michael Herkimer, Manager  
UPDES IES Section

MH:JS:ev

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December 23, 2009

UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY  
DIVISION OF WATER QUALITY

PUBLIC NOTICE OF SETTLEMENT AGREEMENT, DOCKET NOS. I09-02SA & I09-18SA

PURPOSE OF PUBLIC NOTICE

This notice is to declare that the State of Utah has reached a settlement agreement with Genwal Resources, Inc. This Public Notice is issued pursuant to Utah Administrative Code R317-8-1.9, to provide opportunity for public comment on the proposed settlement of an enforcement action. The proposed settlement agreement is for the purpose of resolving alleged violations of Utah Code Annotated 19-5 (Water Quality Act), and is a resolution of enforcement proceedings brought against Genwal Resources, Inc.

PUBLIC COMMENTS

Public comments are invited any time prior to close of business January 25, 2010. Comments may be directed to the Department of Environmental Quality, Division of Water Quality, 288 North 1460 West, P.O. Box 144870, Salt Lake City, Utah 84114-4870.

FURTHER INFORMATION

The settlement agreement is available for public review under "Public Notices" at [www.waterquality.utah.gov/](http://www.waterquality.utah.gov/). If internet access is not available, a copy may be obtained by calling Jeff Studenka at 801-538-6779. Written public comments can be submitted to: Walt Baker, Executive Secretary, Utah Water Quality Board, P.O. Box 144870, Salt Lake City, Utah 84114-4870 or by email at: [wbaker@utah.gov](mailto:wbaker@utah.gov). The deadline to receive comments is close of business January 25, 2010. After considering public comment the Utah Water Quality Board may execute the settlement agreement, revise it, or abandon it.