

SCOTT M. MATHESON
Governor

0016



OIL, GAS, AND MINING BOARD

GORDON E. HARMSTON
Executive Director,
NATURAL RESOURCES

STATE OF UTAH

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF OIL, GAS, AND MINING

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Director

June 30, 1981

#1367468

CERTIFIED - RETURN RECEIPT REQUESTED

AM/000/001

Mr. Trevor G. Whiteside
Valley Camp of Utah, Inc.
P.O. Box 507
Clear Creek, Utah 84517

RE: Proposed Assessment for
State Violation No. N81-2-5-2

Dear Mr. Whiteside:

Enclosed you will find the proposed civil penalty assessment for this violation. The violation was cited by Division Inspector Sandy Pruitt on June 1, 1981.

The Board of Oil, Gas and Mining has empowered me to act as Assessment Officer and to conduct informal conferences on violations and assessments. This assessment has been computed by me using Rule UMC/SMC 845.2 et. seq.

You may or may not request that the Division establish an assessment conference at this time. If no conference is requested by you within 30 days of your receipt of this letter the violation will be reassessed considering available facts and you will be required to pay the civil penalty as reassessed.

Should you decide to request an assessment conference you must do so in writing within 30 days of your receipt of this letter. Please specify in your request what the nature of your contest to the violation will include. For your ease in responding I have classified those contests as follows:

1. A contest of the amount of the assessment and not the fact of the violation(s) having occurred.
2. A contest of the facts of whether the violation(s) occurred.

Mr. Trevor G. Whiteside
June 30, 1981
Page Two

This classification has been made to enable the Division time to arrange for a court reporter to establish a record of the proceedings in contests of the facts of a violation.

My decision resulting from the assessment conference may be appealed to the Board in a more formal proceeding.

Sincerely,

A handwritten signature in cursive script that reads "Ronald W. Daniels". The signature is written in dark ink and is positioned above the typed name.

RONALD W. DANIELS
ACTING ASSESSMENT OFFICER

RWD/te

ASSESSMENT WORKSHEET

NOV# N81-2-5-2PERMIT# ACT/007/001Name of Company Valley Camp of Utah, Inc.Violation # 1 of 2

	<u>POINTS</u>
1. History of previous violations	<u>-</u>
2. Seriousness (either A or B)	
A. (1) Probability of occurrence	<u>12</u>
(2) Extent of potential or actual damage	<u>4</u>
B. Obstruction to enforcement	<u>-</u>
Total Seriousness	<u>16</u>
3. Negligence	<u>8</u>
4. Good Faith (Will be considered after complete information is received)	<u>-</u>
5. Acreage	<u>-</u>
TOTAL POINTS	<u>24</u>
ASSESSMENT	<u>\$ 280.00</u>

Violation # 2 of 2

	<u>POINTS</u>
1. History of previous violations	<u>-</u>
2. Seriousness (either A or B)	
A. (1) Probability of occurrence	<u>12</u>
(2) Extent of potential or actual damage	<u>4</u>
B. Obstruction to enforcement	<u>-</u>
Total Seriousness	<u>16</u>
3. Negligence	<u>8</u>
4. Good Faith (Will be considered after complete information is received)	<u>-</u>
5. Acreage	<u>-</u>
TOTAL POINTS	<u>24</u>
ASSESSMENT	<u>\$ 280.00</u>

ASSESSMENT EXPLANATION

NOV# N81-2-5-2

PERMIT# ACT/007/001

Name of Company Valley Camp of Utah, Inc.

Violation # 1 of 2

History of previous violations: None

Seriousness: (either A or B)

A. (1) Probability of occurrence:

The violation, failure to post topsoil marker on topsoil stockpile is deemed likely to result in loss of topsoil and delay in revegetation. 12 points.

(2) Extent of actual or potential damage:

Damage sould remain on the permit area. 4 points.

B. Obstruction to enforcement:

Negligence: ORDINARY NEGLIGENCE

8 points.

Good Faith: WILL BE CONSIDERED AFTER COMPLETE INFORMATION IS RECEIVED

Acreage:

ASSESSMENT EXPLANATION

NOV# N81-2-5-2

PERMIT# ACT/007/001

Name of Company Valley Camp of Utah, Inc.

Violation # 2 of 2

History of previous violations: None

Seriousness: (either A or B)

A. (1) Probability of occurrence:

The violation, failure to protect topsoil from wind and water erosion, compaction, or contamination is deemed likely to result in a delay in revegetation and a loss of topsoil. 12 points.

(2) Extent of actual or potential damage:

Damage would remain within the permit area. 4 points.

B. Obstruction to enforcement:

Negligence: ORDINARY NEGLIGENCE

8 points.

Good Faith: WILL BE CONSIDERED AFTER COMPLETE INFORMATION IS RECEIVED

Acreage: