



STATE OF UTAH
NATURAL RESOURCES & ENERGY
Oil, Gas & Mining

Scott M. Matheson, Governor
Temple A. Reynolds, Executive Director
Cleon B. Feight, Division Director

4241 State Office Building • Salt Lake City, UT 84114 • 801-533-5771

April 20, 1983

CERTIFIED RETURN RECEIPT REQUESTED

P 324 744 119

Mr. Trevor Whiteside
Valley Camp of Utah
P.O. Box 307
Clear Creek, Utah 84517

RE: Proposed Assessment for
State Violation No. N83-1-1-1
ACT/007/001
Folder No. 7
Carbon County, Utah

Dear Mr. Whiteside:

The undersigned has been empowered by the Board of Oil, Gas and Mining to act as the Assessment Officer and conduct informal conferences on violations and assessments.

Enclosed you will find the proposed civil penalty assessment for the afore-referenced violation(s). The aforesaid violation(s) was issued by Division Inspector Joe Helfrich on the 12th of April, 1983. I have utilized Rule UMC/SMC 845.2 et seq to formulate the proposed penalty.

A written request for an assessment conference must be submitted within fifteen (15) days after receipt of this letter. Should you request an assessment conference you may contest either the occurrence of the violation, the proposed penalty or both.

If no timely request for an assessment conference is made, I shall review all pertinent data and make a final penalty assessment. The fine assessed must be paid to the Division of Oil, Gas and Mining within thirty (30) days of receipt of the finalized assessment. Failure to comply with the above-stated statutory requirements shall result in a waiver of your right of further recourse.

A petition to appeal the results of the assessment conference to the Board of Oil, Gas and Mining must be received within fifteen (15) days from the date of service of the finalized assessment along with the assessed penalty which shall be escrowed with the Division of Oil, Gas and Mining pending the outcome of the Board Hearing.

Mr. Trevor Whiteside
ACT/007/001
April 20, 1983
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You should further be aware that a request, after an assessment conference, to appear before the Board of Oil, Gas and Mining will not be granted unless the proposed penalty monies are properly and timely escrowed with the Division of Oil, Gas and Mining.

Sincerely,



RONALD W. DANIELS
ACTING ASSESSMENT OFFICER

RWD/gb

cc: Jodie Merriman, OSM, Albuquerque
Joe Helfrich, DOGM
Barbara Roberts, Atty

ASSESSMENT WORKSHEET

NOV# N83-1-1-1

PERMIT# ACT/007/001

Name of Company Belina #1 & #2 / Valley Camp of Utah Inc.

Violation # 1 of 1 POINTS

1. History of previous violations 2
2. Seriousness (either A or B)

- A. (1) Probability of occurrence 17
- (2) Extent of potential or actual damage 16
- B. Obstruction to enforcement --

Total Seriousness 33

3. Negligence 8

4. Good Faith (Will be considered after complete information is received) --

TOTAL POINTS 43

ASSESSMENT \$ 720.00

Violation # -- of -- POINTS

1. History of previous violations
2. Seriousness (either A or B)

- A. (1) Probability of occurrence
- (2) Extent of potential or actual damage
- B. Obstruction to enforcement

Total Seriousness

3. Negligence

4. Good Faith (Will be considered after complete information is received)

TOTAL POINTS

ASSESSMENT \$

ASSESSMENT EXPLANATION

NOV# N83-1-1-1

PERMIT# ACT/007/001

Name of Company Belina #1 & #2 Mine / Valley Camp of Utah Inc.

Violation # 1 of 1

History of previous violations: N82-1-9-2 eff. 1/23/83 = 2 pts.

Seriousness: (either A or B)

A. (1) Probability of occurrence:

The violation failure to comply with water quality effluent limitations is deemed to have resulted in the occurrence of water pollution. 17 pts.

(2) Extent of actual or potential damage:

Damage extended off the permit area. 16 pts.

B. Obstruction to enforcement:

Negligence: ORDINARY NEGLIGENCE

This same violation occurred in July of 1982 but abatement was extended due to winter weather until July 1, 1983. 8 pts.

Good Faith: WILL BE CONSIDERED AFTER COMPLETE INFORMATION IS RECEIVED
