



STATE OF UTAH  
NATURAL RESOURCES  
Oil, Gas & Mining

Scott M. Matheson, Governor  
Temple A. Reynolds, Executive Director  
Dr. G. A. (Jim) Shirazi, Division Director

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

September 7, 1983

# 996 688

**CERTIFIED RETURN RECEIPT REQUESTED**

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

ACT/007/001

RE: Proposed Assessment for State  
Violation No.  
N83-7-6-1  
~~ACT/007/004~~  
Folder No. 8  
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 aforereferenced violation(s). The aforesaid violation(s) was issued by Division Inspector Ken Wyatt, on the 26th day of July, 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 violaton, 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/007/004  
September 7, 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/jv

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

ASSESSMENT WORKSHEET

NOV# N83-7-6-1

PERMIT# ACT/007/004

Name of Company Valley Camp of Utah Inc./Utah #2

Violation # 1 of 1 POINTS

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

A. (1) Probability of occurrence 12  
(2) Extent of potential or actual damage 12

B. Obstruction to enforcement -

Total Seriousness 24

3. Negligence 23

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

TOTAL POINTS 48

ASSESSMENT \$ 920.00

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# N83-7-6-1

PERMIT# ACT/007/004

Name of Company Valley Camp of Utah inc./Utah #2

Violation # 1 of 1

History of previous violations: N82-4-11-1 of 1/23/83 = 1 pts.

Seriousness: (either A or B)

A. (1) Probability of occurrence:

The violation was issued for operating without a permit and a failure to conduct mining activities in accordance with an approved plan. The event, environmental harm and degradation is deemed likely to have occurred. 12 pts.

(2) Extent of actual or potential damage:

Damage, though small, has left the permit area. 12 pts.

B. Obstruction to enforcement:

Negligence: ~~ORDINARY-NEGLIGENCE~~ Knowing and willful conduct, the operator had notice of a potential problem by Division of Oil, Gas and Mining memos dated 5/31/83 and 6/30/83. 23 pts.

Good Faith: WILL BE CONSIDERED AFTER COMPLETE INFORMATION IS RECEIVED