



STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

File

Norman H. Bangerter, Governor
Dee C. Hansen, Executive Director
Dianne R. Nielson, Ph.D., Division Director

355 W. North Temple • 3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340

January 11, 1988

CERTIFIED RETURN RECEIPT REQUESTED
P 001 717 579

Mr. Barry Barnum
Valley Camp of Utah Inc.
Scofield Route
Helper, Utah 84526

Dear Mr. Barnum:

Re: Finalized Assessment for State Violation No. N87-9-11-1,
ACT/007/001, Folder #5, Carbon 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 have escrowed 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 % Vicki Bailey at the address listed above.

Thank you for your cooperation.

Sincerely,

Barbara W. Roberts
Barbara W. Roberts
Assessment Conference Officer

re
cc: John C. Kathmann, OSM AFO

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

COMPANY/MINE Valley Camp/Belina NOV # N87-9-11-1
 PERMIT # ACT/007/011 VIOLATION 1 OF 1
 Assessment Date 12-29-87 Assessment Officer Barbara W. Roberts

Nature of violation: Failure to comply with the terms and conditions of the permit and the program. Failure to obtain approval from the Division before using introduced plant species in a seed mix and failure to meet the requirements of applicable state and federal seed statutes.

Date of termination: 10-15-87

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Prev. Vio.	<u>2</u>	<u>-</u>
(2) Seriousness		
(a) Probability of Occurrence	<u> </u>	<u>-</u>
Extent of Damage	<u> </u>	<u>-</u>
(b) Hindrance to Enforcement	<u>7</u>	<u>-</u>
(3) Negligence	<u>10</u>	<u>-</u>
(4) Good Faith	<u>0</u>	<u>-</u>
 TOTAL	 <u>19</u>	 <u>-</u>
	TOTAL ASSESSED FINE	\$ <u>-</u>

3. Narrative:

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

This NOV is vacated for the reason that the contractor acted on his own with impudence despite the operator's attempt to control the contractor's activities. The operator's actions in immediately notifying the Division of the contractor's presence and ejecting the contractor from the site upon learning of what had occurred supports the vacating of this NOV.