



## State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MININGNorman H. Bangertter  
Governor  
Dee C. Hansen  
Executive Director  
Dianne R. Nielson, Ph.D.  
Division Director355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203  
801-538-5340

April 11, 1989

CERTIFIED RETURN RECEIPT REQUESTED  
P 001 717 844Mr. Barry Barnum  
Valley Camp of Utah, Inc.  
Scotfield Route  
Helper, Utah 84526

Dear Mr. Barnum:

Re: Finalized Assessment for State Violation No. N88-28-9-1,  
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.

Thank you for your cooperation.

Sincerely,

A handwritten signature in cursive script that reads "Alan S. Bachman".

Alan S. Bachman  
Assessment Conference Officerjb  
cc: John C. Kathmann, OSM, AFO  
MN37/11

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

COMPANY/MINE Valley Camp of Utah, Inc.

NOV # N88-28-9-1

PERMIT # ACT/007/001

VIOLATION 1 OF 1

Assessment Date 12/14/88

Assessment Officer Alan S. Bachman

Nature of Violation: Exceedence of effluent limitations on October 20, 1988.

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Date of Termination: January 9, 1989

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Prev. Violations	<u>1</u>	<u>1</u>
(2) Seriousness		
(a) Probability of Occurrence	<u>20</u>	<u>20</u>
Extent of Damage	<u>0</u>	<u>0</u>
(b) Hindrance to Enforcement	<u>-</u>	<u>-</u>
(3) Negligence	<u>12</u>	<u>12</u>
(4) Good Faith	<u>- 0</u>	<u>- 0</u>
TOTAL	<u>33</u>	<u>33</u>
	TOTAL ASSESSED FINE	<u>\$ -0-</u>

3. Narrative:

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

Fine is hereby waived. This is a technical NOV due to a 76.5 mg/liter total suspended solids reading on October 20, 1988. Valley Camp's own sample that day was 28 mg/liter. In the future it would be best to split the same samples to the laboratories to understand whether laboratory error is involved, which may be the case here. The weight of the evidence is that there was a violation. However, no fine should be assessed until the better cooperative procedures are in place.

jb  
MN34/9