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State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340

June 29, 1989

CERTIFIED RETURN RECEIPT REQUESTED
P 075 063 165Mr. Walter Wright
Valley Camp of Utah, Incorporated
Scofield Route
Helper, Utah 84526

Dear Mr. Wright:

Re: Finalized Assessment for State Violation No. N89-28-6-1, ACT/007/001, Folder #5,
Carbon County, Utah

The civil penalty for the above-referenced violation has been finalized. Please note that no fine has been assessed. 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. Failure to comply with this requirement will result in a waiver of your right of further recourse.

Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink that reads "Barbara W. Roberts".

Barbara W. Roberts
Assessment Conference Officer

jb

cc: John C. Kathmann, OSM, AFO
MN37/18

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

COMPANY/MINE Valley Camp of Utah Inc

NOV # 89-28-6-1

PERMIT # ACT/007/001

VIOLATION 1 OF 1

Assessment Date 6/28/89

Assessment Officer Barbara W. Roberts

Nature of Violation: Failure to maintain sediment pond in accordance with the approved permit and coal rules.

Date of Termination: 5/4/89, Effective 4/21/89

| | <u>Proposed Assessment</u> | <u>Final Assessment</u> |
|-------------------------------|--------------------------------|-----------------------------|
| (1) History/Prev. Violations | <u>2</u> | <u>2</u> |
| (2) Seriousness | | |
| (a) Probability of Occurrence | <u>12</u> | <u>0</u> |
| Extent of Damage | <u>20</u> | <u>10</u> |
| (b) Hindrance to Enforcement | <u>-</u> | <u>-</u> |
| (3) Negligence | <u>0</u> | <u>0</u> |
| (4) Good Faith | <u>-20</u> | <u>-20</u> |
| TOTAL | <u>14</u> | <u>0</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.)

Results of sample analysis indicates that discharge was within the limits set by the NPDES permit and, as a result, there was no probability that water pollution occurred as a result of the leak. Damage points reduced because of the sample results but maintained to reflect the potential for water pollution from a leak of this kind.