

P 074 978 379

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED

NOT FOR INTERNATIONAL MAIL

(See Reverse)

| | |
|---|------------------------------|
| Sent to MA JAMES LITMAN | |
| Street and No. VALLEY CAMP OF UTAH INC | |
| SCOFIELD ROUTE | |
| HELPER UTAH 84526 | |
| Postage DOGM ACT/007/001 N93 | \$²⁹39-6,7 |
| SM Certified Fee | 100 |
| Special Delivery Fee | |
| Restricted Delivery Fee | |
| Return Receipt showing to whom and Date Delivered | 100 |
| Return Receipt showing to whom, Date, and Address of Delivery | |
| TOTAL Postage and Fees | \$ 229 |
| Postmark or Date | |

PS Form 3800, June 1985



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

December 20, 1993

CERTIFIED RETURN RECEIPT REQUESTED
P 074 978 379

Mr. James Litman
Valley Camp of Utah, Inc.
Scofield Route
Helper, UT 84526

Re: Finalized Reassessment for State Violation #N93-39-6-1 and #N93-39-7-1, Valley Camp of Utah, Inc., Belina Complex Mine, ACT/007/001, Folder #5, Carbon County, Utah

Dear Mr. Litman:

The civil penalty for the above-referenced violation has been finalized. This reassessment has been finalized as a result of a review of all pertinent data and facts including those presented in the assessment conference and other pertinent discussions.

Pursuant to the terms of our agreement please withdraw your appeals for violations #N93-39-6-1 and #N93-39-7-1 at your convenience.

Thank you for your cooperation.

Sincerely,

A handwritten signature in cursive script that reads "Joseph C. Helfrich".

Joseph C. Helfrich
Assessment Conference Officer

JCH:SM
Enc.

cc: John Kirkham, Esq.
Denise Dragoo, Esq.



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

COMPANY/MINE Valley Camp of Utah, Inc./Belina Complex
NOV #N93-39-7-1

PERMIT # ACT/007/001 VIOLATION 1 of 1

Reassessment Date 12/17/93
Assessment Officer Joseph C. Helfrich

Nature of Violation:

Date of Termination:

| | <u>Proposed Assessment</u> | <u>Final Assessment</u> |
|---------------------------------|--------------------------------|-----------------------------|
| (1) History/Previous Violations | <u>1</u> | <u>1</u> |
| (2) Seriousness | | |
| (a) Probability of Occurrence | <u>20</u> | <u>20</u> |
| Extent of Damage | <u> </u> | <u> </u> |
| (b) Hindrance to Enforcement | <u> </u> | <u> </u> |
| (3) Negligence | <u>30</u> | <u>0</u> |
| (4) Good Faith | <u>-0</u> | <u>-</u> |
| Total Points | <u>51</u> | <u>21</u> |
| TOTAL ASSESSED FINE | | \$ <u>0*</u> |

NARRATIVE:

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

Additional information from the permittee revealed that no negligence occurred as a result of the violation.

* Total reassessed points less than 50 civil penalty discretionary.

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WORKSHEET FOR REASSESSMENT OF PENALTIES
UTAH DIVISION OF OIL, GAS AND MINING

COMPANY/MINE Valley Camp of Utah, Inc./Belina Complex
NOV #N93-39-6-1

PERMIT # ACT/007/001 VIOLATION 1 of 1

Reassessment Date 12/17/93
Assessment Officer Joseph C. Helfrich

Nature of Violation:

Date of Termination:

| | <u>Proposed Assessment</u> | <u>Reassessment</u> |
|---------------------------------|----------------------------|---------------------|
| (1) History/Previous Violations | <u>1</u> | <u>1</u> |
| (2) Seriousness | | |
| (a) Probability of Occurrence | <u> </u> | <u> </u> |
| Extent of Damage | <u> </u> | <u> </u> |
| (b) Hindrance to Enforcement | <u>25</u> | <u>25</u> |
| (3) Negligence | <u>30</u> | <u>0</u> |
| (4) Good Faith | <u>-0</u> | <u>-0</u> |
| Total Points | <u>56</u> | <u>26</u> |
| TOTAL ASSESSED FINE | | <u>\$ 0*</u> |

NARRATIVE:

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

Negligence points were recomputed due to additional information received by the permittee which revealed that no negligence occurred as a result of the violation. This results in a total of 26 points.

* Assessed points less than 50, civil penalty discretionary.

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JUL 20 1994



DEPARTMENT OF NATURAL RESOURCES
Oil, Gas & Mining

3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-2000

*File ACT/007/001
NOI # 93-39-6-1*

get

ACT/667/001

VACATION/TERMINATION OF NOTICE OF VIOLATION/CESSATION ORDER

To the following Permittee or Operator:

Name Valley Camp of Utah, Inc
Mailing Address Seaford Route, Helper, UT 84526
Permit No. ACT/007/001

Under the Utah Coal Mining & Reclamation Act, Section 40-10-1 et seq., Utah Code Annotated (1953):

Notice of Violation No. N 93-39-6-1 dated 9-29, 19 93.
Cessation Order No. C _____ dated _____, 19 _____.

Part 1 of 1 is vacated terminated because the complete application for transfer is of 12-23-93.

Part _____ of _____ is vacated terminated because _____

Part _____ of _____ is vacated terminated because _____

Date of service/ mailing 12-23-93 Time of service/ mailing 8:00 a.m. p.m.

Permittee/Operator representative _____

Title _____

Signature _____

Stephen J Danczak
Division of Oil, Gas & Mining

Rebecca Spawls
Title

Stephen J Danczak
Signature