



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

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December 21, 1994

CERTIFIED RETURN RECEIPT REQUESTED
P 074 976 152

Mark Wayment
White Oak Mining
PO Box 60
Scofield Route
Helper Ut 84526

Re: Finalized Assessment for State Violation #N94-45-2-1, White Oak Mining Co., White Oak Mine, ACT/007/001, Folder #5, Carbon County, Utah

Dear Mr. Wayment:

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 escrow 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 c/o Vicki Bailey at the address listed above.

Thank you for your cooperation.

Sincerely,

Ronald W. Daniels
Assessment Conference Officer

blb

Enclosure

cc: Donna Griffin, OSM, AFO



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

COMPANY/MINE White Oak Mining/White Oak Mine #1 NOV #N94-45-2-1

PERMIT # ACT/007/001

VIOLATION 1 of 1

Assessment Date 12/21/94

Assessment Officer Ronald W. Daniels

Nature of Violation:

Failure to comply with permit stipulations. (Attachment A- Stipulation #2) Issued 8/26/94

Date of Termination: 11/22/94

| | | <u>Proposed Assessment</u> | <u>Final Assessment</u> |
|-----|-------------------------------|--------------------------------|-----------------------------|
| (1) | History/Previous Violations | <u>8</u> | <u>8</u> |
| (2) | Seriousness | | |
| | (a) Probability of Occurrence | <u>-----</u> | <u>-----</u> |
| | Extent of Damage | <u>-----</u> | <u>-----</u> |
| | (b) Hindrance to Enforcement | <u>20</u> | <u>20</u> |
| (3) | Negligence | <u>18</u> | <u>18</u> |
| (4) | Good Faith | <u>-0</u> | <u>-0</u> |
| | Total Points | <u>46</u> | <u>46</u> |
| | TOTAL ASSESSED FINE | | \$ <u>840.00</u> |

NARRATIVE:

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