



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

Michael O. Leavitt
Governor

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Executive Director

James W. Carter
Division Director

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May 17, 1995

CERTIFIED RETURN RECEIPT REQUESTED
P 074 976 197

White Oak Mining And Construction Company
Mark Wayment, Mine Manager
Scofield Route
Helper, Utah 84526

Re: Finalized Assessment for State Violation #N95-39-1-2, White Oak Mining and Construction Company, 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,

A handwritten signature in black ink, appearing to read 'James W. Carter', written over a large, circular scribble.

James W. Carter
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 Company/White Oak Mine NOV #95-39-1-2

PERMIT # ACT/007/001

VIOLATION 1 of 2

Assessment Date May 16, 1995

Assessment Officer James W. Carter

Nature of Violation:

Failure to place and store non-coal waste in a controlled manner in a designated portion of the permit area.

Date of Termination: February 8, 1995

		<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1)	History/Previous Violations	<u>6</u>	<u>6</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>0</u>	<u>0</u>
(3)	Negligence	<u>8</u>	<u>8</u>
(4)	Good Faith	<u>-0</u>	<u>-15</u>
	Total Points	<u>34</u>	<u>19</u>
	TOTAL ASSESSED FINE		\$ <u>190.00</u>

NARRATIVE:

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

Abatement of the violation was completed the same day the violation was issued, entitling the operator to Rapid Compliance good faith points.

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

COMPANY/MINE White Oak Mining Company/White Oak Mine NOV #95-39-1-2

PERMIT # ACT/007/001

VIOLATION 2 of 2

Assessment Date May 16, 1995

Assessment Officer James W. Carter

Nature of Violation:

Failure to maintain D7-B and having snow from pad area in D18-A and equipment within D18-A.

Date of Termination: February 8, 1995

		<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1)	History/Previous Violations	<u>6</u>	<u>6</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>0</u>	<u>0</u>
(3)	Negligence	<u>8</u>	<u>8</u>
(4)	Good Faith	<u>-0</u>	<u>-15</u>
	Total Points	<u>34</u>	<u>19</u>
	TOTAL ASSESSED FINE		\$ <u>190.00</u>

NARRATIVE:

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

Abatement of the violation was completed the same day the violation was issued, entitling the operator to Rapid Compliance good faith points.

**WORKSHEET FOR ASSESSMENT OF CESSATION ORDERS
UTAH DIVISION OF OIL, GAS AND MINING**

COMPANY/MINE White Oak Mining & Construction Inc. / White Oak Mine CO # C-95-32-1-2

PERMIT # ACT/007/001

VIOLATION 1 OF 2

Nature of the Cessation Order:

Failure to abate Violation N95-32-3-2 / Number 1 of 2

Date of Abatement of Cessation Order: July 26, 1995

Date of Receipt of Cessation Order: July 26, 1995 via fax

List the days of Failure to Abate: July 26, 1995

Number of Days x \$750.00/day = TOTAL ASSESSED FINE: \$750.00

Assessment Date: January 11, 1996

Assessment Officer: Joseph C. Helfrich

Proposed Assessment \$750.00

Final Assessment \$750.00