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STATE OF UTAH
NATURAL RESOURCES & ENERGY
Oil, Gas & Mining

Scott M. Matheson, Governor
Temple A. Reynolds, Executive Director
Cleon B. Feight, Division Director

4241 State Office Building • Salt Lake City, UT 84114 • 801-533-5771

Route

November 16, 1982

REGISTERED RETURN RECEIPT REQUESTED *POST 1075360*

Mr. Rob Wiley
Price River Coal Company
P.O. Box 629
Helper, Utah 84526

#8

RE: Finalized
Assessment for
State Violation
No. N82-4-9-1

Dear Mr. Wiley:

The civil penalty for the Violation No. N82-4-9-1, has been finalized in the amount shown in the attached assessment conference report. This assessment is finalized as a result of the meeting, discussion or letter described on the reassessment form.

The operator is due a refund in the amount of \$280.00, the total amount of the civil penalty which was paid by his check (#20994) on November 5, 1982. See attached assessment conference report.

Thank you for your cooperation in this matter.

Sincerely,

RONALD W. DANIELS
ACTING ASSESSMENT
OFFICER

RWD/lm

cc: Jodie Merriman, OSM
Carolyn Driscoll, DOGM
Joe Helfrich, DOGM

ASSESSMENT CONFERENCE REPORT
Utah Division of Oil, Gas & Mining
1588 West North Temple
Salt Lake City, Utah

NOV/CO No. N82-4-9-1

Location of Conference: Salt Lake City, Utah

Date of Conference: November 15, 1982

Company Name/Mine Name: Price River Coal Co./ Price River Complex

<u>Persons in Attendance</u>	<u>Title</u>
<u>Rob Wiley, Ken Hutchinson,</u>	<u>Price River Coal Company</u>
<u>Dave Lof, John Whitehead</u>	<u>Division of Oil, Gas & Mining</u>
<u>Ronald W. Daniels</u>	<u>Division of Oil, Gas & Mining</u>

<u>Violation No.</u>	<u>Amount of Assessment As Revised</u>
<u>1 of 1</u>	<u>\$ 000.00 (vacated)</u>
<u>The operator is due a refund</u>	<u>_____</u>
<u>in the amount of \$280.00, the</u>	<u>_____</u>
<u>total civil penalty which was</u>	<u>_____</u>
<u>paid by his check #20994 on</u>	<u>_____</u>
<u>November 5, 1982 (10-5-82).</u>	<u>REFUND - \$280.00</u>

Approved: *RW Daniels*
(Signature of Conference Officer)

Date: 11/17/82

This assessment has been set as a result of an informal conference held by the assessment officer. Should the Company desire a review in a more formal proceeding before the Board of Oil, Gas & Mining, a hearing can be requested within 30 days of receipt of this report.

ASSESSMENT CONFERENCE REPORT
(continued)

1. Notice of Violation/Cessation Order No. N82-4-9-1

Violation 1 of 1

- (a) Nature of violation: The violation was issued for failure to store non-coal waste in a controlled manner. Dated 9/10/82
- (b) Date of termination: September 11, 1982

2. Conference Result	<u>Proposed Assessment</u>	<u>Conference Assessment</u>
(a) History/Prev. Vio.	<u>5</u>	<u> </u>
(b) Seriousness		
(1) Probability of Occurrence	<u>12</u>	<u> </u>
Extent of Damage	<u>12</u>	<u> </u>
(2) Obstr. to Enforcement	<u>--</u>	<u> </u>
(c) Negligence	<u>10</u>	<u> </u>
(d) Good Faith	<u>-15</u>	<u> </u>
(e) Acreage	<u>--</u>	<u> </u>
TOTAL	<u>24</u>	<u>Vacated</u>

3. Narrative:

(Brief explanation of reasons for any changes made in assignment of points and any additional information that was presented at the conference.)

The operator successfully demonstrated that the item of "non-coal waste" (a used cable spool) which was found in the diversion ditch was not waste but was a returnable item used by a contractor, and further that the spool did not impede drainage in the ditch and cause erosion which contributed to suspended solids in streamflow or runoff.

The violation is vacated.