

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See Reverse)

PS Form 3800, Apr. 1976 LM

SENT TO Robert Witley	
STREET AND NO. P.O. Box 629	
P.O. STATE AND ZIP CODE Helper, Utah 84526	
POSTAGE	\$
CERTIFIED FEE	¢
SPECIAL DELIVERY	¢
RESTRICTED DELIVERY	¢
SHOW TO WHOM AND DATE DELIVERED	¢
SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY	¢
SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	¢
SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	¢
TOTAL POSTAGE AND FEES	\$
POSTMARK OR DATE	



STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)

1. If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, **leaving the receipt attached**, and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified-mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in Item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.



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

October 27, 1982

CERTIFIED RETURN RECEIPT REQUESTED

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

RE: Proposed
Assessment for
State Violation
NOV. #N82-4-12-2
ACT/007/004

Dear Mr. Wiley:

The undersigned has been empowered by the Board of Oil, Gas and Mining to act as the Assessment Officer and conduct informal conferences on violations and assessments.

Enclosed you will find the proposed civil penalty assessment for the aforereferenced violation(s). The aforesaid violation(s) was issued by Division Inspector David Lof on the tenth of October 1982. I have utilized Rule UMC/SMC 845.2 et seq. to formulate the proposed penalty.

A request for an assessment conference must be submitted within thirty (30) days after receipt of this letter. Should you request an assessment conference you may contest either the occurrence of the violation, the proposed penalty or both.

If no timely request for an assessment conference is made, I shall review all pertinent data and make a final penalty assessment. The fine assessed must be paid to the Division of Oil, Gas and Mining within thirty (30) days of receipt of the proposed assessment. Failure to comply with the above-stated statutory requirements shall result in a waiver of your right of further recourse.

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You should further be aware that a request, after an assessment conference, to appear before the Board of Oil, Gas and Mining will not be granted unless the proposed penalty monies are properly and timely escrowed with the Division of Oil, Gas and Mining.

Sincerely,



RONALD W. DANIELS
ACTING ASSESSMENT
OFFICER

RWD/lm
enclosure

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

ASSESSMENT WORKSHEET

NOV# N82-4-12-2PERMIT# ACT/007/004Name of Company Price River Coal CompanyViolation # 1 of 2POINTS

- | | |
|---|------------|
| 1. History of previous violations | <u>5</u> |
| 2. Seriousness (either A or B) | |
| A. (1) Probability of occurrence | <u>16</u> |
| (2) Extent of potential or actual damage | <u>16</u> |
| B. Obstruction to enforcement | <u>---</u> |
| Total Seriousness | <u>32</u> |
| 3. Negligence | <u>8</u> |
| 4. Good Faith (Will be considered after complete information is received) | <u>---</u> |

TOTAL POINTS 45ASSESSMENT \$ 800.00Violation # 2 of 2POINTS

- | | |
|---|------------|
| 1. History of previous violations | <u>5</u> |
| 2. Seriousness (either A or B) | |
| A. (1) Probability of occurrence | <u>15</u> |
| (2) Extent of potential or actual damage | <u>10</u> |
| B. Obstruction to enforcement | <u>---</u> |
| Total Seriousness | <u>25</u> |
| 3. Negligence | <u>10</u> |
| 4. Good Faith (Will be considered after complete information is received) | <u>---</u> |

TOTAL POINTS 40ASSESSMENT \$ 600.00

ASSESSMENT EXPLANATION

NOV# N82-4-12-2

PERMIT# ACT/007/004

Name of Company Price River Coal Company

Violation # 1 of 2

History of previous violations: N81-2-14-1 effective 6/4/82 = 1 pt, N82-4-4-2 effective 6/24/82 = 2 pts., N82-4-5-1 effective 9/19/82 = 1 pt., N82-4-7-1 effective 9/19/82 = 1 pt. N82-4-9-1 = pending. TOTAL = 5 PTS.

- A. (1) Probability of occurrence: The violation, failure to pass surface drainage from the disturbed area through a sedimentation pond or other treatment facility is deemed to have resulted in the occurrence of the event of water pollution by increased sediment to streamflow. 16 pts.

- (2) Extent of actual or potential damage: Damage left the permit area. 16 pts.

B. Obstruction to enforcement: -----

Negligence: ORDINARY NEGLIGENCE 8 pts.

Good Faith: WILL BE CONSIDERED AFTER COMPLETE INFORMATION IS RECEIVED

ASSESSMENT EXPLANATION

NOV# N82-4-12-2

PERMIT# ACT/007/004

Name of Company Price River Coal Company

Violation # 2 of 2

History of previous violations: See 1 of 2 for details. 5 pts.

Seriousness: (either A or B)

A. (1) Probability of occurrence: The violation, failure to maintain diversions in accordance with UMC 817.43, is deemed to have resulted in the occurrence of the event of water pollution by increased sediment to streamflow. 15 pts.

(2) Extent of actual or potential damage: Damage extends off the permit area but is mitigated by temporary sediment controls. 10 pts.

B. Obstruction to enforcement: -----

Negligence: ORDINARY NEGLIGENCE 10 pts.

Good Faith: WILL BE CONSIDERED AFTER COMPLETE INFORMATION IS RECEIVED