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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

September 27, 1982

CERTIFIED RETURN RECEIPT REQUESTED

051075325
 Mr. Gordon Cook
 Price River Coal Company
 P.O. Box 629
 Helper, Utah 84526

RE: Proposed Assessment for
 State Violation No. N82-4-9-1
 ACT/007/004

Dear Mr. Cook:

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 afore-referenced violation(s). The aforesaid violation(s) was issued by Division Inspector David Lof on the 9th of September, 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.

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/mn

cc: Joe Helfrich
 Carolyn Driscoll
 OSM, Albuquerque

Board: Charles R. Henderson, Chairman • John L. Bell • E. Steele McIntyre • Edward T. Beck
 Robert R. Norman • Margaret R. Bird • Herrn Olsen

ASSESSMENT WORKSHEET

NOV# N82-4-9-1

PERMIT# ACT/007/004

Name of Company Price River Coal Co.

Violation # 1 of 1

	<u>POINTS</u>
1. History of previous violations	<u>5</u>
2. Seriousness (either A or B)	
A. (1) Probability of occurrence	<u>12</u>
(2) Extent of potential or actual damage	<u>12</u>
B. Obstruction to enforcement	<u>-</u>
Total Seriousness	<u>24</u>
3. Negligence	<u>10</u>
4. Good Faith (Will be considered after complete information is received)	<u>-15</u>

TOTAL POINTS 24

ASSESSMENT \$ 280.00

Violation # - of -

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

TOTAL POINTS

ASSESSMENT \$

ASSESSMENT EXPLANATION

NOV# N82-4-9-1

PERMIT# ACT/007/004

Name of Company Price River Coal Corp.

Violation # 1 of 1

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

Seriousness: (either A or B)

A. (1) Probability of occurrence: The violation, failure to store non-coal waste in a controlled manner and designated place is deemed likely to occur. 12 Points.

(2) Extent of actual or potential damage: Damage, if it occurred, would extend off the permit area. 12 Points

B. Obstruction to enforcement:-----

Negligence: ORDINARY NEGLIGENCE 10 Points.

Good Faith: WILL BE CONSIDERED AFTER COMPLETE INFORMATION IS RECEIVED
-15 Points.