

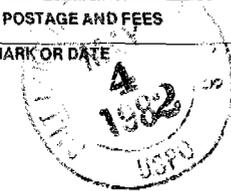
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P 324 741 418

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

PS Form 3800, Apr. 1976 PA# 188-4-4-2/5-3-82/MT-007-004

SENT TO		Robert Wiley - F.R.C. Co.		
STREET AND NO.		P.O. Box 629		
P.O. STATE AND ZIP CODE		Helson, Utah 84526		
POSTAGE		\$		
CONSULT POSTMASTER FOR FEES	CERTIFIED FEE		c	
	SPECIAL DELIVERY		c	
	RESTRICTED DELIVERY		c	
	OPTIONAL SERVICES	SHOW TO WHOM AND DATE DELIVERED		c
		SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY		c
		SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY		c
RETURN RECEIPT SERVICE	SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY		c	
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. Endorse front 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 boxes in Item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry

GPO: 1980 331-003



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

May 3, 1982

#P324-741-418

REGISTERED - RETURN RECEIPT REQUESTED

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

RE: Proposed Assessment for
State Violation No. N82-4-4-2

Dear Mr. Wiley:

Enclosed you will find the proposed civil penalty assessment for this violation. The violation was cited by Division Inspector David Lof on March 16, 1982.

The Board of Oil, Gas and Mining has empowered me to act as Assessment Officer and to conduct informal conferences on violations and assessments. This assessment has been computed by me using Rule UMC/SMC 845.2 et seq.

You may or may not request that the Division establish an assessment conference at this time. If no conference is requested by you within 30 days of your receipt of this letter the violation will be reassessed considering available facts and you will be required to pay the civil penalty as reassessed.

Should you decide to request an assessment conference you must do so in writing within 30 days of your receipt of this letter. Please specify in your request what the nature of your contest to the violation will include. For your ease in responding I have classified those contests as follows:

1. A contest of the amount of the assessment and not the fact of the violation(s) having occurred.
2. A contest of the facts of whether the violation(s) occurred.

Mr. Robert Wiley
May 3, 1982
Page Two

This classification has been made to enable the Division time to arrange for a court reporter to establish a record of the proceedings in contests of the facts of a violation.

My decision resulting from the assessment conference may be appealed to the Board in a more formal proceeding.

Sincerely,



RONALD W. DANIELS
ACTING ASSESSMENT OFFICER

RWD/te

Enclosure

cc: Assessment Officer
Field Supervisor

ASSESSMENT WORKSHEET

NOV# N82-4-4-2

PERMIT# ACT/007/004

Name of Company Price River Coal Co./Braztah Complex

Violation # 1 of 2 POINTS

- 1. History of previous violations 5
- 2. Seriousness (either A or B)
 - A. (1) Probability of occurrence 12
 - (2) Extent of potential or actual damage 16
 - B. Obstruction to enforcement -
 - Total Seriousness 28
- 3. Negligence 23
- 4. Good Faith (Will be considered after complete information is received) -

TOTAL POINTS 56

ASSESSMENT \$1,220.00

Violation # -2 of 2 POINTS

- 1. History of previous violations Vacated per
- 2. Seriousness (either A or B) Inspector Notice
 - A. (1) Probability of occurrence _____
 - (2) Extent of potential or actual damage _____
 - B. Obstruction to enforcement _____
 - Total Seriousness _____
- 3. Negligence _____
- 4. Good Faith (Will be considered after complete information is received) _____

TOTAL POINTS _____

ASSESSMENT \$ _____

ASSESSMENT EXPLANATION

NOV# N82-4-4-2

PERMIT# ACT/007/004

Name of Company Price River Coal Co./Braztah Complex

Violation # 1 of 2

History of previous violations: N81-3-2-6 which has an effective date of 6/28/81.
N81-2-14-1 is yet pending an effective date.

Seriousness: (either A or B) 5 points.

A. (1) Probability of occurrence:

The violation, failure to pass surface drainage from the disturbed area through a sedimentation treatment facility is deemed likely to have resulted in the following events: erosion, water pollution and sediment loading of streams. 12 points.

(2) Extent of actual or potential damage:

Damage left the permit area. 16 points.

B. Obstruction to enforcement:

Negligence: ~~ORDINARY NEGLIGENCE~~

The violation is alleged to have been caused by the intentional actions of the operator's contractor and as such is deemed to be a knowing and willful violation. 23 points.

Good Faith: WILL BE CONSIDERED AFTER COMPLETE INFORMATION IS RECEIVED

ASSESSMENT EXPLANATION

NOV# N82-4-4-2

PERMIT# ACT/007/004

Name of Company Price River Coal Co./Braztah Complex

Violation # 2 of 2

History of previous violations:

Vacated per inspector's notice of April 23, 1982.

Seriousness: (either A or B)

A. (1) Probability of occurrence:

(2) Extent of actual or potential damage:

B. Obstruction to enforcement:

Negligence: ORDINARY NEGLIGENCE

Good Faith: WILL BE CONSIDERED AFTER COMPLETE INFORMATION IS RECEIVED