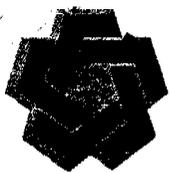


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STATE OF UTAH  
NATURAL RESOURCES  
Oil, Gas & Mining

Scott M. Matheson, Governor  
Temple A. Reynolds, Executive Director  
Dr. G. A. (Jim) Shirazi, Division Director

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

June 13, 1983

REGISTERED RETURN RECEIPT REQUESTED *P324 744 141*

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

RE: Finalized Assessment for  
State Violation No.  
N82-4-14-1 & N83-4-2-1  
ACT/007/004  
Folder No. 8  
Carbon County, Utah

Dear Mr. Wiley:

The civil penalty for the Violation No. N82-4-14-1 and N83-4-2-1, 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.

Any appeal to the Board of Oil, Gas and Mining must be made in writing within fifteen (15) days of your receipt of this letter. Additionally, you must have escrowed the assessed civil penalties with the Division prior to the Board Hearing. Failure to comply with the above-stated statutory requirements shall result in a waiver of your right of further recourse.

If no appeal or an untimely, improper appeal is made, the assessed civil penalties must be tendered to the Division within thirty (30) days of your receipt of this letter.

Thank you for your cooperation.

Sincerely,

RONALD W. DANIELS  
ACTING ASSESSMENT OFFICER

RWD/lm

Enclosure

cc: Jodie Merriman, OSM, Albuquerque  
Joe Helfrich, DOGM  
Barbara Roberts, Atty

ASSESSMENT CONFERENCE REPORT  
Utah Division of Oil, Gas & Mining  
~~1588 West North Temple~~ 4241 State Office Building  
Salt Lake City, Utah 84114

NOV/CO No. N82-4-14-1 & N83-4-2-1

Location of Conference: Salt Lake City, Utah  
Date of Conference: May 23, 1983  
Company Name/Mine Name: Price River Coal Company / Price River Complex / ACT/007/004

<u>Persons in Attendance</u>	<u>Representing</u>
<u>Robert Wiley, Micheal Keller, Ken Hutchinson</u>	<u><del>Price River</del> Price River Coal Company</u>
<u>Dave Lof, Bart Kale, &amp; Ron Daniels</u>	<u>DOGM</u>

<u>Violation No.</u>	<u>Amount of Assessment As Revised</u>
<u>N82-4-14-1</u>	<u>\$ 580.00</u>
<u>N83-4-2-1</u>	<u>340.00</u>
<u>Total</u>	<u>\$ 920.00</u>

The total proposed civil penalty escrowed for N82-4-14-1 (\$920.00) by check #22734 dated March 8, 1983 will be considered as payment in full for these two violations. No additional payment due.

Approved: *RW Daniels* Date: 6/13/83  
(Signature of Conference Officer)

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. N82-4-14-1

Violation 1 of 1

- (a) Nature of violation: Failure to manage sediment control facilities.  
 (b) Date of termination: Pending Division review

2. Conference Result	Proposed Assessment	Conference Assessment
(a) History/Prev. Vio.	<u>8</u>	<u>6</u>
(b) Seriousness		
(1) Probability of Occurrence	<u>12</u>	<u>12</u>
Extent of Damage	<u>16</u>	<u>9</u>
(2) Obstr. to Enforcement	<u>--</u>	<u>--</u>
(c) Negligence	<u>12</u>	<u>12</u>
(d) Good Faith	<u>--</u>	<u>--</u>
(e) Acreage	<u>--</u>	<u>--</u>
<b>TOTAL</b>	<u>48</u>	<u>39</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.)

History points are reduced due to an error in the original computation. Extent of damage is reduced due to potential damage being less than originally estimated.

ASSESSMENT CONFERENCE REPORT  
(continued)

1. Notice of Violation/~~Cessation~~ Order No. N83-4-2-1

Violation 1 of 1

(a) Nature of violation: Failure to prevent additional contributions of sediment to streamflow.  
 (b) Date of termination: May 25, 1983

2. Conference Result	<u>Proposed Assessment</u>	<u>Conference Assessment</u>
(a) History/Prev. Vio.	<u>8</u>	<u>6</u>
(b) Seriousness		
(1) Probability of Occurrence	<u>17</u>	<u>11</u>
Extent of Damage	<u>16</u>	<u>10</u>
(2) Obstr. to Enforcement	<u>--</u>	<u>--</u>
(c) Negligence	<u>8</u>	<u>4</u>
(d) Good Faith	<u>--</u>	<u>-4</u>
(e) Acreage	<u>--</u>	<u>--</u>
<b>TOTAL</b>	<u>49</u>	<u>27</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.)

Rapid abatement, easy abatement situation applies for a good faith award of points. Negligence while still ordinary is less than originally estimated. Probability of occurrence is changed to the likely category due to no showing having been made of the events occurring. Damage extent is less than originally estimated.