



STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

Scott M. Matheson, Governor
Temple A. Reynolds, Executive Director
Dianne R. Nielson, Ph.D., Division Director

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

September 5, 1984

REGISTERED RETURN RECEIPT REQUESTED
P 396 996 715

Gordon Cook, Vice President
Price River Coal Company
P. O. Box 629
Helper, Utah 84526

Dear Mr. Cook:

RE: Finalized Assessment for State Violation No. N84-2-5-1,
ACT/007/004, Folder # 8, Carbon County, Utah

The civil penalty for the Violation No. N84-2-5-1 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 within a maximum of 30 days of receipt of this letter but in all cases 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,

Lorin P. Nielsen
Acting Assessment Officer

re

cc: Donna Griffin, Office of Surface Mining
Joe Helfrich
Barbara Roberts

ASSESSMENT CONFERENCE REPORT
Utah Division of Oil, Gas & Mining
4241 State Office Building
Salt Lake City, Utah 84114

NOV/CO No. N84-2-5-1

Location of Conference: Salt Lake City, Utah

Date of Conference: August 10, 1984

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

Persons in Attendance

Lorin P. Nielson
Sandy Pruitt
Joe Helfrich
R. L. Wiley
K. B. Hutchinson
Michael Keller

Representing

Natural Resources and Energy
Division of Oil, Gas and Mining
Division of Oil, Gas and Mining
Price River Coal Company
Price River Coal Company
Price River Coal Company

Violation No.

N84-2-5-1, # 1 of 1

Amount of Assessment
As Revised

\$ 240.00

\$

Approved: Lorin P. Nielson
(Signature of Conference Officer)

Date: 9-5-84

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 15 days of receipt of this report.

ASSESSMENT CONFERENCE REPORT
(continued)1. Notice of Violation/Cessation Order No. N84-2-5-1Violation 1 of 1(a) Nature of violation: Failure to meet effluent limitations(b) Date of termination: May 14, 1984

2. Conference Result	<u>Proposed Assessment</u>	<u>Conference Assessment</u>
(a) History/Prev. Vio.	<u>6</u>	<u>6</u>
(b) Seriousness		
(1) Probability of Occurrence	<u>5</u>	<u>5</u>
Extent of Damage	<u>2</u>	<u>2</u>
(2) Obstr. to Enforcement		
(c) Negligence	<u>10</u>	<u>10</u>
(d) Good Faith	<u>-1</u>	<u>-1</u>
(e) Acreage		
TOTAL	<u>22</u>	<u>22</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: AffirmedSeriousness:Probability: UMC 817.42 (a)(6) requires drainage from disturbed and undisturbed that is mixed to achieve effluent limitations when it leaves the permit area. Thus, the sample was taken at the correct location. AffirmedExtent: AffirmedNegligence: The small area was not to be used for storing removed snow. AffirmedGood Faith: Affirmed