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STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining


Norman H. Bangerter, Governor
Dee C. Hansen, Executive Director
Dianne R. Nielson, Ph.D., Division Director

355 W. North Temple • 3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340

July 14, 1986

CERTIFIED RETURN RECEIPT REQUESTED
P 001 771 279

Mr. George Lasley
Mines Manager
Price River Coal Company
P.O. Box 629
Helper, Utah 84626

Dear Mr. Lasley:

RE: Finalized Assessment for State Violation No. N86-8-4-2
ACT/007/004, Folder # 8, Carbon County, Utah

The civil penalty for the above referenced violation has been finalized. This assessment has been finalized as a result of a review of all pertinent data and facts which were not available on the date of the proposed assessment, due to the length of the abatement period.

Within fifteen (15) days of your receipt of this letter, you or your agent may make a written appeal to the Board of Oil, Gas and Mining. To do so, you must have escrowed the assessed civil penalty 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 this requirement will result in a waiver of your right of further recourse.

If no timely appeal is made, this assessed civil penalty must be tendered within thirty (30) days of your receipt of this letter. Please remit payment to the Division and mail % Jan Brown at the address listed above.

Thank you for your cooperation.

Sincerely,


Barbara W. Roberts
Assessment Conference Officer

re

cc: Donna Griffin, OSM Albuquerque Field Office
0450Q

WORKSHEET FOR FINAL ASSESSMENT OF PENALTIES
 UTAH DIVISION OF OIL, GAS AND MINING

COMPANY/MINE Price River Coal/Price River Complex NOV # N86-8-4-2

PERMIT # ACT/007/004 VIOLATION 1 OF 2

Assessment Date 06-19-86 Assessment Officer Barbara W. Roberts

Nature of violation: Failure to maintain sediment pond to prevent short to extent possible.

Date of termination: February 28, 1986

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Prev. Vio.	<u>0</u>	<u>0</u>
(2) Seriousness		
(a) Probability of Occurrence	<u>5</u>	<u>5</u>
Extent of Damage	<u>4</u>	<u>4</u>
(b) Hindrance to Enforcement	<u> </u>	<u> </u>
(3) Negligence	<u>3</u>	<u>3</u>
(4) Good Faith	<u>- 5</u>	<u>- 5</u>
TOTAL	<u>7</u>	<u>7</u>
TOTAL ASSESSED FINE		<u>\$ 0</u>

3. Narrative:

Assessment Conference Officer declines to assess a civil penalty for the reason that based upon information gathered at the conference it is not warranted.

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WORKSHEET FOR FINAL ASSESSMENT OF PENALTIES
 UTAH DIVISION OF OIL, GAS AND MINING

COMPANY/MINE Price River Coal/Price River Complex NOV # N86-8-4-2

PERMIT # ACT/007/004 VIOLATION 2 OF 2

Assessment Date 6-10-86 Assessment Officer Barbara W. Roberts

Nature of violation: Failure to prevent short circuiting of a sediment pond.

Date of termination: March 10, 1986

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Prev. Vio.	<u>0</u>	<u>-</u>
(2) Seriousness		
(a) Probability of Occurrence	<u>7</u>	<u>-</u>
Extent of Damage	<u>4</u>	<u>-</u>
(b) Hindrance to Enforcement	<u> </u>	<u> </u>
(3) Negligence	<u>16</u>	<u>-</u>
(4) Good Faith	<u>0</u>	<u>-</u>
TOTAL	<u>27</u>	<u>-</u>
	TOTAL ASSESSED FINE	\$ <u>-</u>

3. Narrative:

Violation vacated. Information gathered at the assessment conference indicated that no short circuiting of Pond #009 was occurring. Although there likely was communication between the two cells of the pond, the structural integrity of the entire pond was not at issue, as indicated by the inspector at the conference.

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