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# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203  
801-538-5340

Mine File

November 21, 1991

CERTIFIED RETURN RECEIPT REQUESTED  
P 074 979 158

Mr. James W. Buck, Manager  
Amax Coal Industries, Inc.  
One River Front Place  
20 Northwest 1st Street  
Evansville, Indiana 47708-1258

Dear Mr. Buck:

Re: Finalized Assessment for State Violation #N91-28-2-1, Amax Coal Company,  
Castle Gate Mine, ACT/007/004, Folder #5, 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 including those presented in the assessment conference by you or your representative and the Division of Oil, Gas and Mining inspector.

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 escrow the assessed civil penalty with the Division within a maximum of thirty (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, mail c/o Vicki Bailey at the address listed above.

Thank you for your cooperation.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Ronald W. Daniels'.

Ron Daniels  
Assessment Conference Officer

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

COMPANY/MINE AMAX Coal Company/Castle Gate Mine

NOV #N91-28-2-1

PERMIT # ACT/007/004

VIOLATION 1 of 1

Assessment Date 11/21/91

Assessment Officer Ron Daniels

Nature of Violation: Failure to comply with terms of the Division Order dated 12/18/90.

Date of Termination: Not yet terminated.

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Previous Violations	<u>2</u>	<u>2</u>
(2) Seriousness		
(a) Probability of Occurrence	<u>0</u>	<u>0</u>
Extent of Damage	<u>0</u>	<u>0</u>
(b) Hindrance to Enforcement	<u>20</u>	<u>20</u>
(3) Negligence	<u>20</u>	<u>20</u>
(4) Good Faith	<u>-0</u>	<u>-0</u>
Total Points	<u>42</u>	<u>42</u>
TOTAL ASSESSED FINE		<u>\$ 680.00</u>

**NARRATIVE:**

(Brief explanation for any changes made in assignment of points and any additional information that was available after the proposed assessment.)

This notice of violation is presently under a temporary relief order and, as such, the abatement requirements have not been met. Amax has shown due diligence in abating portions of the abatement and will be given consideration for good faith upon termination of the violation.

jbe