

0023



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt  
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July 11, 1996

CERTIFIED RETURN RECEIPT REQUESTED  
P 074 976 460

Johnny Pappas, Environmental Engineer  
AMAX Coal Company  
P.O. Box Drawer PMC  
Price, Utah 84501

Re: Finalized Assessment for State Violation #N95-41-3-1, AMAX Coal Company, Castle Gate Mine, ACT/007/004, Folder #5, Carbon County, Utah

Dear Mr. Payne:

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 penalties 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 that reads "Joseph C. Helfrich".

Joseph C. Helfrich  
Assessment Conference Officer

blb

Enclosure

cc: James Fulton, OSM

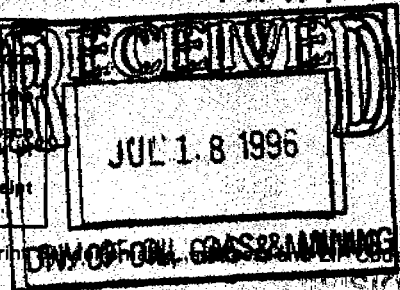
O:I&E\final

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

- Print your name, address and ZIP Code in the space below.
- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.



PENALTY FOR PRIVATE USE, \$300

RETURN TO



Print your name and address in the space below.

**DOGM OIL, GAS & MINING**  
**OIL COMPANY**  
 1594 W. NORTH TEMPLE STE 1210  
 BOX 34500  
 SALT LAKE CITY UT 84114-5801

**SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.  
 Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1.  Show to whom delivered, date, and addressee's address. 2.  Restricted Delivery (Extra charge)

3. Article Addressed to:  
**JOHNNY PAPPAS**  
**AMAX COAL CO**  
**PO DRAWER PMC**  
**PRICE UT 84501**

4. Article Number  
**P 074 976 460**

Type of Service:  
 Registered  Insured  
 Certified  COD  
 Express Mail  Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED. **7-15-96**

5. Signature - Address  
 *Virginia Rolph*

6. Signature - Agent

7. Date of Delivery

8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, Mar. 1988 \* U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)

- If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your next carrier. (no extra charge)
- If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.
- 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.
- 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.
- Date fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
- Save this receipt and present it if you make inquiry.

\* U.S.G.P.O. 1988-217-132

BB DOGM ACT/007/004 FLD 5 N95-41-3-1 7/12/96

P 074 976 460

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

JOHNNY PAPPAS									
AMAX COAL CO									
PO DRAWER PMC									
PRICE UT 84501									
PO, State and ZIP Code									
Postage	\$								
Certified Fee									
Special Delivery Fee									
Restricted Delivery Fee									
Return Receipt showing to whom and Date Delivered									
Return Receipt Date, and Addressee									
TOTAL Postage and Fees									
Postmark of									

Stamp: SALT LAKE CITY UT 1996 JUL 12  
 Postmark: ESC

PS Form 3800, June 1985

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

COMPANY/MINE Amax Coal Company/Castle Gate Mine

NOV # N95-41-3-1

PERMIT# ACT/007/004

VIOLATION 1 OF 1

Assessment Date 07/11/96

Assessment Officer Joseph C. Helfrich

Nature of Violation: Failure to conduct water monitoring with conditions of approved permit.

Date of Termination: 01/29/96

		<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1)	History/Previous Violations	—	—
(2)	Seriousness		
	(a) Probability of Occurrence	<u>12</u>	<u>12</u>
	Extent of Damage	—	—
	(b) Hindrance to Enforcement	—	—
(3)	Negligence	<u>18</u>	<u>14</u>
(4)	Good Faith	—	—
	Total Points	<u>30</u>	<u>21</u>
	<b>TOTAL ASSESSED FINE</b>		<u>\$220.00</u>

**NARRATIVE:**

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