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STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

File
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

December 23, 1985

CERTIFIED RETURN RECEIPT REQUESTED
P 001 861 861

Mr. Glen Zumwalt
Vice President and General Manager
Utah Fuel Company
P. O. Box 719
Helper, Utah 84526

Dear Mr. Zumwalt:

RE: Finalized Assessment for State Violation No. N81-4-4-2, N85-2-5-1
N85-2-7-2, N85-2-9-2, ACT/007/005, 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.

Thank you for your cooperation.

Sincerely,

A handwritten signature in cursive script, reading "Barbara W. Roberts".

Barbara W. Roberts
Assessment Officer

re

cc: Donna Griffin, OSM Albuquerque Field Office
9099Q

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

COMPANY/MINE Utah Fuel Company NOV # N81-4-4-2
 PERMIT # ACT/007/005 VIOLATION 1 OF 2

Nature of violation: Operating without a permit
 Date of termination: November 14, 1981

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Prev. Vio.	<u>5</u>	<u> </u>
(2) Seriousness		
(a) Probability of Occurrence	<u>-</u>	<u> </u>
Extent of Damage	<u>-</u>	<u> </u>
(b) Hindrance to Enforcement	<u>5</u>	<u> </u>
(3) Negligence	<u>10</u>	<u> </u>
(4) Good Faith	<u>- 15</u>	<u> </u>
 TOTAL	 <u>5</u>	 <u> </u>
	TOTAL ASSESSED FINE	\$ <u>0</u>

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

Civil penalty vacated as a result of the length of time elapsed between the proposed assessment and the assessment conference.

Amended pursuant to Board direction remanding this matter for an assessment conference.



Assessment Date 12-13-85

Assessment Officer Barbara W. Roberts

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

COMPANY/MINE Utah Fuel Company NOV # N81-4-4-2
 PERMIT # ACT/007/005 VIOLATION 2 OF 2

Nature of violation: Failure to mine in accordance with plan
 Date of termination: November 14, 1981

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Prev. Vio.	<u>5</u>	<u> </u>
(2) Seriousness		
(a) Probability of Occurrence	<u>12</u>	<u> </u>
Extent of Damage	<u>10</u>	<u> </u>
(b) Hindrance to Enforcement	<u> </u>	<u> </u>
(3) Negligence	<u>12</u>	<u> </u>
(4) Good Faith	<u> </u>	<u> </u>
TOTAL	<u>39</u>	<u> </u>
	TOTAL ASSESSED FINE	\$ <u>0</u>

3. Narrative:

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

Civil penalty vacated as a result of the length of the elapsed time between the proposed assessment and the assessment conference.

Amended pursuant to Board direction remanding this matter for an assessment conference.



Assessment Date 12-13-85

Assessment Officer Barbara W. Roberts

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

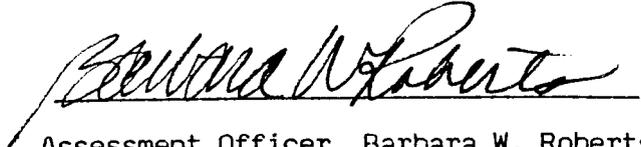
COMPANY/MINE Utah Fuel Company NOV # N85-2-5-1
 PERMIT # ACT/007/005 VIOLATION 1 OF 1

Nature of violation: _____
 Date of termination: April 16, 1985

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Prev. Vio.	<u>1</u>	<u>1</u>
(2) Seriousness		
(a) Probability of Occurrence	<u>17</u>	<u>15</u>
Extent of Damage	<u>12</u>	<u>8</u>
(b) Hindrance to Enforcement	<u>-</u>	<u>-</u>
(3) Negligence	<u>2</u>	<u>2</u>
(4) Good Faith	<u>- 8</u>	<u>- 20</u>
 TOTAL	 <u>24</u>	 <u>6</u>
	TOTAL ASSESSED FINE	\$ <u>60</u>

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

There was less damage than initially estimated due to the small amount entering the creek. Good Faith points were increased due to the immediate and permanent correction of the problem.

Assessment Date 12-13-85  Assessment Officer Barbara W. Roberts

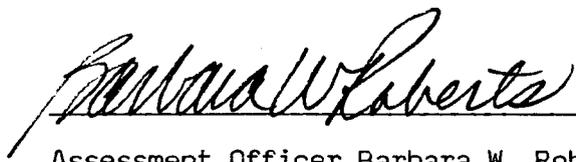
WORKSHEET FOR FINAL ASSESSMENT OF PENALTIES
 UTAH DIVISION OF OIL, GAS AND MINING

COMPANY/MINE Utah Fuel Company NOV # N85-2-9-2
 PERMIT # ACT/007/005 VIOLATION 1 OF 2

Nature of violation: Failure to mark buffer zone.
 Date of termination: _____

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Prev. Vio.	<u>1</u>	<u>1</u>
(2) Seriousness		
(a) Probability of Occurrence	<u>10</u>	<u>10</u>
Extent of Damage	<u>9</u>	<u>9</u>
(b) Hindrance to Enforcement	<u>-</u>	<u>-</u>
(3) Negligence	<u>2</u>	<u>2</u>
(4) Good Faith	<u>0</u>	<u>0</u>
 TOTAL	 <u>22</u>	 <u>22</u>
	TOTAL ASSESSED FINE	<u>\$ 240</u>

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



 Assessment Officer Barbara W. Roberts

Assessment Date 12-13-85

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

COMPANY/MINE Utah Fuel Company NOV # N85-2-9-2
 PERMIT # ACT/007/005 VIOLATION 2 OF 2

Nature of violation: failure to provide and/or maintain sediment control structures
 Date of termination: _____

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Prev. Vio.	<u>1</u>	<u>1</u>
(2) Seriousness		
(a) Probability of Occurrence	<u>10</u>	<u>10</u>
Extent of Damage	<u>8</u>	<u>8</u>
(b) Hindrance to Enforcement	<u>-</u>	<u>-</u>
(3) Negligence	<u>5</u>	<u>5</u>
(4) Good Faith	<u> </u>	<u> </u>
 TOTAL	 <u>24</u>	 <u>24</u>
	TOTAL ASSESSED FINE	<u>\$ 280</u>

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

Barbara W. Roberts

 Assessment Officer Barbara W. Roberts

Assessment Date 12-13-85

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

COMPANY/MINE Utah Fuel Company

NOV # N85-2-7-2

PERMIT # ACT/007/005

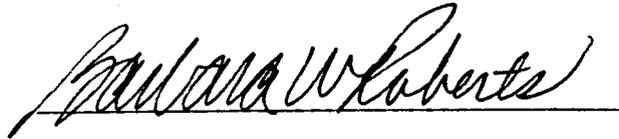
VIOLATION 2 OF 2

Nature of violation: _____

Date of termination: _____

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Prev. Vio.	<u>1</u>	<u>1</u>
(2) Seriousness		
(a) Probability of Occurrence	<u>-</u>	<u>-</u>
Extent of Damage	<u>-</u>	<u>-</u>
(b) Hindrance to Enforcement	<u>15</u>	<u>15</u>
(3) Negligence	<u>6</u>	<u>6</u>
(4) Good Faith	<u> </u>	<u> </u>
 TOTAL	 <u>22</u>	 <u>22</u>
	TOTAL ASSESSED FINE	\$ <u>240</u>

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



Assessment Date 12-13-85

Assessment Officer Barbara W. Roberts