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State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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May 17, 1993

CERTIFIED RETURN RECEIPT REQUESTED
P 074 975 407

Mr. Glen Zumwalt
Utah Fuel Company
P.O. Box 719
Helper, Utah 84526

Dear Mr. Zumwalt:

Re: Finalized Assessment for State Violation #N92-37-3-1, Utah Fuel Company, Skyline Mine, ACT/007/005, 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".

Ronald W. Daniels
Assessment Conference Officer

jbe
Enclosure
cc: Bernie Freeman, OSM, AFO



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

COMPANY/MINE Utah Fuel Co/ Skyline Mine

NOV #N92-37-3-1

PERMIT # ACT/007/005

VIOLATION 1 of 1

Assessment Date 5/14/93

Assessment Officer Ronald W. Daniels

Nature of Violation:

Failure to comply with the terms and conditions of the approved permit.

Date of Termination: 11/3/92

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Previous Violations	<u> </u>	<u> </u>
(2) Seriousness		
(a) Probability of Occurrence	<u> 20 </u>	<u> 20 </u>
Extent of Damage	<u> 25 </u>	<u> 21 </u>
(b) Hindrance to Enforcement	<u> </u>	<u> </u>
(3) Negligence	<u> 20 </u>	<u> 20 </u>
(4) Good Faith	<u> - 0 </u>	<u> - 0 </u>
Total Points	<u> 65 </u>	<u> 61 </u>
TOTAL ASSESSED FINE		\$ <u>1480.00</u>

NARRATIVE:

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

The mine operator introduced information to show that damage resultant from the violation was not as extensive as contemplated when initially assessed. One aspect of the damage initially thought to result from the violation was that the additional dissolved solids in the waste stream resultant from the NOV would place a burden on culinary water treatment facilities. Water treatment for culinary use downstream from the mine does not attempt dissolved solids removal.