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NATURAL RESOURCES

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES

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DIVISION OF OIL, GAS, AND MINING
1588 West North Temple
Salt Lake City, Utah 84116
(801) 533-5771

JOHN L. BELL
C. RAY JUVELIN
THADIS W. BOX
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EDWARD T. BECK
E. STEELE McINTYRE

June 17, 1981

#4791144

REGISTERED - RETURN RECEIPT REQUESTED

ACT/007/006

Mr. Ben Grimes
Plateau Mining Company
P.O. Drawer PMC
Price, Utah 84501

RE: Assessment Conference Report
and Assessment of Civil Penalty
Violation No. N81-2-3-3

Dear Mr. Grimes:

Enclosed please find the Division's Assessment Conference Report concerning violations of the Utah Coal Mining and Reclamation Act, U.C.A., 40-10-1, et seq., at the Starpoint Mine, Carbon County, Utah. The civil penalty of \$540.00 is hereby assessed by the Board of Oil, Gas and Mining unless you apply for review and public hearing before the Board within 30 days of receipt of this letter and the Assessment Conference Report.

Should you choose not to seek a public hearing concerning this matter, the civil assessment must be paid to the Division within 30 days of receipt of this letter and the Assessment Conference Report.

Please contact the Division if you have any questions or informational needs.

Sincerely,

Ronald W. Daniels

RONALD W. DANIELS
ACTING ASSESSMENT OFFICER

RWD/te

cc: Inspector
Assessment Officer

Enclosure

ASSESSMENT CONFERENCE REPORT
 Utah Division of Oil, Gas & Mining
 1588 West North Temple
 Salt Lake City, Utah

NOV/CO No. N81-2-3-3

Location of Conference: Salt Lake City, Utah

Date of Conference: June 12, 1981

Company Name/Mine Name: Plateau Mining Company/Starpoint Mine

<u>Persons in Attendance</u>	<u>Title</u>
<u>Ben Grimes, Mel Coonrod</u>	<u>Plateau Mining Company</u>
<u>Joe Helfrich</u>	<u>Division of Oil, Gas & Mining</u>
<u>Ron Daniels</u>	<u>Division of Oil, Gas & Mining</u>

<u>Violation No.</u>	<u>Amount of Assessment As Revised</u>
<u>1 of 3</u>	<u>\$ 140.00</u>
<u>2 of 3</u>	<u>100.00</u>
<u>3 of 3</u>	<u>300.00</u>
<u>TOTAL</u>	<u>540.00</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

Approved: *RW Daniels*
 (Signature of Conference Officer)

Date: 6/17/80

This assessment has been set as a result of an informal conference held by the assessment officer. Should the Company desire a review in a more formal proceeding before the Board of Oil, Gas & Mining, a hearing can be requested within 30 days of receipt of this report.

ASSESSMENT CONFERENCE REPORT
(continued)

1. Notice of Violation/Cessation Order No. N81-2-3-3
 Violation 1 of 3
 (a) Nature of violation: Operating without a permit.
 (b) Date of termination: May 28, 1981

2. Conference Result	<u>Proposed Assessment</u>	<u>Conference Assessment</u>
(a) History/Prev. Vio.	<u>10</u>	<u>10</u>
(b) Seriousness		
(1) Probability of Occurrence	<u>-</u>	<u>-</u>
Extent of Damage	<u>-</u>	<u>--</u>
(2) Obstr. to Enforcement	<u>12</u>	<u>6</u>
(c) Negligence	<u>8</u>	<u>8</u>
(d) Good Faith	<u>-</u>	<u>-</u>
(e) Acreage	<u>-</u>	<u>-10</u>
TOTAL	<u>30</u>	<u>14</u>

3. Narrative:

(Brief explanation of reasons for any changes made in assignment of points and any additional information that was presented at the conference.)

An approved plan was being sought by the operator from the State Division of Health when the NOV was issued. Good faith was demonstrated in obtaining an approved plan to construct the leach field.

ASSESSMENT CONFERENCE REPORT
(continued)

1. Notice of Violation/Cessation Order No. N81-2-3-3
- Violation 2 of 3
- (a) Nature of violation: Failure to segregate, protect and redistribute topsoil
- (b) Date of termination: May 28, 1981

2. Conference Result	<u>Proposed Assessment</u>	<u>Conference Assessment</u>
(a) History/Prev. Vio.	<u>10</u>	<u>10</u>
(b) Seriousness		
(1) Probability of Occurrence	<u>12</u>	<u>5</u>
Extent of Damage	<u>4</u>	<u>2</u>
(2) Obstr. to Enforcement	<u>-</u>	<u>-</u>
(c) Negligence	<u>8</u>	<u>4</u>
(d) Good Faith	<u>-</u>	<u>-11</u>
(e) Acreage	<u>-</u>	<u>-</u>
TOTAL	<u>34</u>	<u>10</u>

3. Narrative:
- (Brief explanation of reasons for any changes made in assignment of points and any additional information that was presented at the conference.)
- It was deemed unlikely that a delay in revegetation would result from the violation.
- Rapid compliance was implemented.

ASSESSMENT CONFERENCE REPORT
(continued)

1. Notice of Violation/Cessation Order No. N81-2-3-3
 Violation 3 of 3
 (a) Nature of violation: Failure to prevent additional contributions of sediment to streamflow.
 (b) Date of termination: May 28, 1981

2. Conference Result	Proposed Assessment	Conference Assessment
(a) History/Prev. Vio.	<u>10</u>	<u>10</u>
(b) Seriousness		
(1) Probability of Occurrence	<u>12</u>	<u>10</u>
Extent of Damage	<u>16</u>	<u>8</u>
(2) Obstr. to Enforcement	<u>-</u>	<u>-</u>
(c) Negligence	<u>8</u>	<u>8</u>
(d) Good Faith	<u>-</u>	<u>-11</u>
(e) Acreage	<u>-</u>	<u>-</u>
TOTAL	<u>46</u>	<u>25</u>

3. Narrative:
 (Brief explanation of reasons for any changes made in assignment of points and any additional information that was presented at the conference.)

The extent of damage was not as high as originally estimated. Good faith- rapid compliance was demonstrated.

