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SCOTT M. MATHESON
Governor

OIL, GAS, AND MINING BOARD

GORDON E. HARMSTON
Executive Director,
NATURAL RESOURCES

STATE OF UTAH

CHARLES R. HENDERSON
Chairman

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF OIL, GAS, AND MINING

CLEON B. FEIGHT
Director

1588 West North Temple
Salt Lake City, Utah 84116
(801) 533-5771

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

May 12, 1981

#0367336

REGISTERED - RETURN RECEIPT REQUESTED

Mr. Floyd Tucker
Plateau Mining Company
P.O. Box 539
Price, Utah 84501

ACT/007/006

RE: Proposed Assessment for
State Violation No. N81-2-3-3

Dear Mr. Tucker:

Enclosed you will find the proposed civil penalty assessment for this violation as cited by Division Inspector Sandy Pruitt.

The Board of Oil, Gas and Mining has empowered me to act as Assessment Officer and to conduct informal conferences on violations and assessments. This assessment has been computed by me using the Board's guidelines.

You may appear at an informal conference to appeal both the violation and the assessment to me. I have established Friday May 22, 1981, at 10:00 a.m., for your conference on this assessment. If you do not wish to have a conference on this assessment or cannot appear on the day established, please let me know.

My decision on the assessment as a result of the conference may be appealed by you to the Board in a more formal proceeding.

Sincerely,

RONALD W. DANIELS
ACTING ASSESSMENT OFFICER

RWD/te

cc: Assessment Officer
Inspector

ASSESSMENT WORKSHEET

NOV# N81-2-3-3

PERMIT# ACT/007/006

Name of Company Plateau Mining Company

Violation # 1 of 3 POINTS

- 1. History of previous violations 10
- 2. Seriousness (either A or B)
 - A. (1) Probability of occurrence -
 - (2) Extent of potential or actual damage -
 - B. Obstruction to enforcement 12
 - Total Seriousness 12
- 3. Negligence 8
- 4. Good Faith (Will be considered after complete information is received) -
- 5. Acreage -

TOTAL POINTS 30

ASSESSMENT \$ 400.00

Violation # 2 of 3 POINTS

- 1. History of previous violations 10
- 2. Seriousness (either A or B)
 - A. (1) Probability of occurrence 12
 - (2) Extent of potential or actual damage 4
 - B. Obstruction to enforcement -
 - Total Seriousness 16
- 3. Negligence 8
- 4. Good Faith (Will be considered after complete information is received) -
- 5. Acreage -

TOTAL POINTS 32

ASSESSMENT \$ 440.00

ASSESSMENT WORKSHEET

NOV# N81-2-3-3

PERMIT# ACT/007/006

Name of Company Plateau Mining Company

Violation # 3 of 3

	<u>POINTS</u>
1. History of previous violations	<u>10</u>
2. Seriousness (either A or B)	
A. (1) Probability of occurrence	<u>12</u>
(2) Extent of potential or actual damage	<u>16</u>
B. Obstruction to enforcement	<u>-</u>
Total Seriousness	<u>28</u>
3. Negligence	<u>8</u>
4. Good Faith (Will be considered after complete information is received)	<u>-</u>
5. Acreage	<u>-</u>
TOTAL POINTS	<u>46</u>
ASSESSMENT	<u>\$ 840.00</u>

Violation # of

	<u>POINTS</u>
1. History of previous violations	<u> </u>
2. Seriousness (either A or B)	
A. (1) Probability of occurrence	<u> </u>
(2) Extent of potential or actual damage	<u> </u>
B. Obstruction to enforcement	<u> </u>
Total Seriousness	<u> </u>
3. Negligence	<u> </u>
4. Good Faith (Will be considered after complete information is received)	<u> </u>
5. Acreage	<u> </u>
TOTAL POINTS	<u> </u>
ASSESSMENT	<u>\$ </u>

ASSESSMENT EXPLANATION

NOV# N81-2-3-3PERMIT# ACT/007/006Name of Company Plateau Mining CompanyViolation # 1 of 3

History of previous violations: NOV #N80-1-1-10 - 10 points.

Seriousness: (either A or B)

A. (1) Probability of occurrence:

(2) Extent of actual or potential damage:

B. Obstruction to enforcement:

The violation, operating without a permit, prevented the Division inspector from determining if the leach field was designed in accordance with existing State Health regulations and thereby preventing contamination of public water supplies and waste water from leaving the site. 12 points.

Negligence: ORDINARY NEGLIGENCE

8 points.

Good Faith: WILL BE CONSIDERED AFTER COMPLETE INFORMATION IS RECEIVED

Acreage:

ASSESSMENT EXPLANATION

NOV# N81-2-3-3

PERMIT# ACT/007/006

Name of Company Plateau Mining Company

Violation # 2 of 3

History of previous violations: NOV #N80-1-1-10 - 10 points.

Seriousness: (either A or B)

A. (1) Probability of occurrence:

The violation, failure to segregate, protect, and immediately redistribute and stockpile topsoil is deemed likely to have resulted in the event, delay in revegetation, to have occurred. 12 points.

(2) Extent of actual or potential damage:

Damage would be limited to the permit area. 4 points.

B. Obstruction to enforcement:

Negligence: ORDINARY NEGLIGENCE

8 points.

Good Faith: WILL BE CONSIDERED AFTER COMPLETE INFORMATION IS RECEIVED

Acreage:

ASSESSMENT EXPLANATION

NOV# N81-2-3-3

PERMIT# ACT/007/006

Name of Company Plateau Mining Company

Violation # 3 of 3

History of previous violations: NOV #N80-1-1-10 - 10 points.

Seriousness: (either A or B)

A. (1) Probability of occurrence:

The violation, failure to prevent additional contributions of sediment to streamflow, was deemed likely to result in the events of erosion and water pollution to have occurred. 12 points.

(2) Extent of actual or potential damage:

Damage would extend off the permit area. 16 points.

B. Obstruction to enforcement:

Negligence: ORDINARY NEGLIGENCE

8 points.

Good Faith: WILL BE CONSIDERED AFTER COMPLETE INFORMATION IS RECEIVED

Acreage:

P20 0367336

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO
Lloyd Tucker - Plateau M.

STREET AND NO.
P.O. Box 539

P.O. STATE AND ZIP CODE
Pine, Utah 84501

POSTAGE \$

CONSULT POSTMASTER FOR FEES	CERTIFIED FEE	\$
	SPECIAL DELIVERY	\$
	RESTRICTED DELIVERY	\$
OPTIONAL SERVICES	SHOW TO WHOM AND DATE DELIVERED	\$
	SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	\$
	SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	\$
	SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	\$

TOTAL POSTAGE AND FEES \$

POSTMARK OR DATE
5/19/81
APR 1009/006

A.C. # 181-2-3-3

PS Form 3800, Apr. 1976

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

- Print your name, address, and ZIP Code in the space below.
- Complete items 1, 2, and 3 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.

RETURN TO

State of Utah
Department of Natural Resources
Division of Oil, Gas, & Mining
1688 West North Temple
Salt Lake City, Utah 84118

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300



(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)

1. The following service is requested (check one):

Show to whom and date delivered.....

Show to whom, date and address of delivery.....

RESTRICTED DELIVERY

Show to whom and date delivered.....

RESTRICTED DELIVERY.....

Show to whom, date, and address of delivery.....

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO: *Lloyd Tucker*
Plateau Mining Company
P.O. Box 539
Pine Utah 84501

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	<i>0367336</i>	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE Addressee Authorized agent

J. Bogdan

4. DATE OF DELIVERY *5-26-81*

5. ADDRESS (Complete only if requesting)

6. UNABLE TO DELIVER BECAUSE:

POSTMARK: *MAY 27 1981*

PS Form 3811, Jan. 1979

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

GPO : 1978-288-848

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 on the left portion of the address side of the article, leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
- If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side 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.
- Enter 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.

GPO : 1979 O - 289-363