

0064



SCOTT M. MATHESON  
Governor

OIL, GAS, AND MINING BOARD

GORDON E. HARMSTON  
*Executive Director,*  
NATURAL RESOURCES

STATE OF UTAH

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF OIL, GAS, AND MINING

1588 West North Temple

Salt Lake City, Utah 84116

(801) 533-5771

CHARLES R. HENDERSON  
*Chairman*

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

CLEON B. FEIGHT  
*Director*

May 7, 1981

#0367335

REGISTERED - RETURN RECEIPT REQUESTED

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

RE: Proposed Assessment for  
State Violation No. N81-1-1-2

Dear Mr. Tucker:

Enclosed you will find the proposed civil penalty assessment for this violation as cited by Division Inspector Joseph C. Helfrich.

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 Thursday, May 21, 1981, at 1:30 p.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*

RONALD W. DANIELS  
ACTING ASSESSMENT OFFICER

RWD/te

cc: Assessment Officer  
Inspector

## ASSESSMENT WORKSHEET

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

1. History of previous violations	<u>10</u>
2. Seriousness (either A or B)	
A. (1) Probability of occurrence _____	
(2) Extent of potential or actual damage _____	
B. Obstruction to enforcement <u>12</u>	
Total Seriousness	<u>12</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>30</u>
ASSESSMENT	<u>\$ 400.00</u>

Violation # 2 of 2POINTS

1. History of previous violations	<u>-</u>
2. Seriousness (either A or B)	
A. (1) Probability of occurrence _____	
(2) Extent of potential or actual damage _____	
B. Obstruction to enforcement _____	
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>\$ Violation Vacated</u>

ASSESSMENT EXPLANATION

NOV# N81-1-1-2

PERMIT# ACT/007/006

Name of Company Plateau Mining Company

Violation # 1 of 2

History of previous violations: 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 inspector from determining if the conveyor was constructed in accordance with an approved plan. 12 points.

Negligence: ORDINARY NEGLIGENCE

8 points.

Good Faith: WILL BE CONSIDERED AFTER COMPLETE INFORMATION IS RECEIVED

Acreage:

ASSESSMENT EXPLANATION

NOV# N81-1-1-2

PERMIT# ACT/007/006

Name of Company Plateau Mining Company

Violation # 2 of 2 - Vacated: The pre-assessment conference revealed  
that a barrier to known and important wildlife

History of previous violations: migration routes was not present.

Seriousness: (either A or B)

A. (1) Probability of occurrence:

(2) Extent of actual or potential damage:

B. Obstruction to enforcement:

Negligence: ORDINARY NEGLIGENCE

Good Faith: WILL BE CONSIDERED AFTER COMPLETE INFORMATION IS RECEIVED

Acreage:

PS Form 3811, Jan. 1978

RETURN RECEIPT REGISTERED, INSURED AND CERTIFIED MAIL

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

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 Price, Utah 84501*

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	0367355	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE  Addressee  Authorized agent

4. DATE OF DELIVERY: *6/7/81*

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

POSTMARK: *PRICE UT 11 1981*

GPO : 1979-288-848

P20 0367335

RECEIPT FOR CERTIFIED MAIL

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

SENT TO: *Lloyd Tucker - Plateau*

STREET AND NO.: *P.O. Box 539*

P.O., STATE AND ZIP CODE: *Price, Utah 84501*

POSTAGE \$

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

POSTMARK OR DATE: *5/7/81*

*AC1/002/006*

P.A. # 181-1-1-2

PS Form 3800, Apr. 1976

(City, State, and ZIP Code)

(Street or P.O. Box)

(Name of Sender)

State of Utah  
 Department of Natural Resources  
 Division of Oil, Gas, & Mining  
 1588 West North Temple  
 Salt Lake City, Utah 84116



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

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



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

1. 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)
2. 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.
3. 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.
4. 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.
5. 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.
6. Save this receipt and present it if you make inquiry.

GPO : 1979 O - 289-363