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Poste



STATE OF UTAH  
NATURAL RESOURCES & ENERGY  
Oil, Gas & Mining

Scott M. Matheson, Governor  
Temple A. Reynolds, Executive Director  
Cleon B. Feight, Division Director

4241 State Office Building • Salt Lake City, UT 84114 • 801-533-5771

December 6, 1982

CERTIFIED RETURN RECEIPT REQUESTED P05 7075389

Mr. Scott Williams  
Bishop's Gate Coal Company  
P.O. Box 3357  
Park City, Utah 84060

RE: Proposed  
Assessment for  
State Violation  
NOV. #C82-4-3-1  
CEP/007/006

Dear Mr. Williams:

The undersigned has been empowered by the Board of Oil, Gas and Mining to act as the Assessment Officer and conduct informal conferences on violations and assessments.

Enclosed you will find the proposed civil penalty assessment for the aforereferenced violation(s). The aforesaid violation(s) was issued by Division Inspector Dave Loff on the twenty-second of October 1982. I have utilized Rule UMC/SMC 845.2 et seq. to formulate the proposed penalty.

A request for an assessment conference must be submitted within thirty (30) days after receipt of this letter. Should you request an assessment conference you may contest either the occurrence of the violation, the proposed penalty or both.

If no timely request for an assessment conference is made, I shall review all pertinent data and make a final penalty assessment. The fine assessed must be paid to the Division of Oil, Gas and Mining within thirty (30) days of receipt of the proposed assessment. Failure to comply with the above-stated statutory requirements shall result in a waiver of your right of further recourse.

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You should further be aware that a request, after an assessment conference, to appear before the Board of Oil, Gas and Mining will not be granted unless the proposed penalty monies are properly and timely escrowed with the Division of Oil, Gas and Mining.

Sincerely,



RONALD W. DANIELS  
ACTING ASSESSMENT  
OFFICER

RWD/lm

cc: Jodie Merriman, OSM, Albuquerque  
Joe Helfrich, DOGM  
Carolyn Driscoll, DOGM

ASSESSMENT WORKSHEET

NOV# C82-4-3-1

PERMIT# CEP/007/006

Name of Company Bishopsgate Coal Company

Violation # 1 of 1 POINTS

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

The operator is assessed the minimum penalty for this violation, \$750.00 per day for 7 days, from 10/29/82 through 11/5/82.

TOTAL POINTS -----

7 days @ \$750.00/day ASSESSMENT \$ 5,250.00

Violation # \_\_\_\_\_ of \_\_\_\_\_ POINTS

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

TOTAL POINTS -----

ASSESSMENT \$

ASSESSMENT EXPLANATION

NOV# C82-4-3-1

PERMIT# CEP/007/006

Name of Company Bishopsgate Coal Company

Violation # 1 of 1

History of previous violations:

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