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

Die

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 POS 7075387

Mr. Scott Williams
Bishopsgate Coal Company
P.O. Box 3357
Park City, Utah 84060

RE: Proposed
Assessment for
State Violation
No. N82-4-13-1
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 aforementioned violation(s). The aforesaid violation(s) was issued by Division Inspector Dave Lof on the 24th 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.

Mr. Scott Williams
CEP/007/006
December 6, 1982
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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# N82-4-13-1PERMIT# CEP/007/006Name of Company Bishopsgate Coal Company

Violation # <u>1</u> of <u>1</u>	POINTS
1. History of previous violations	<u>6</u>
2. Seriousness (either A or B)	
A. (1) Probability of occurrence <u>7</u>	
(2) Extent of potential or actual damage <u>16</u>	
B. Obstruction to enforcement <u>--</u>	
Total Seriousness	<u>23</u>
3. Negligence	<u>12</u>
4. Good Faith (Will be considered after complete information is received)	<u>--</u>
TOTAL POINTS	<u>41</u>
ASSESSMENT	<u>\$ 640.00</u>

Violation # <u>--</u> of <u>--</u>	POINTS
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>
TOTAL POINTS	<u> </u>
ASSESSMENT	<u>\$ </u>

ASSESSMENT EXPLANATION

NOV# N82-4-13-1

PERMIT# CEP/007/006

Name of Company Bishopsgate Coal Company

Violation # 1 of 1

History of previous violations: N81-4-5-2, N81-4-6-1 and N81-2-11-3, all effective December 5, 1982. Total = 6 points.

Seriousness: (either A or B)

A. (1) Probability of occurrence: The failure to return certain areas to approximate original contour promptly after they are needed for coal exploration is deemed unlikely to result in increased suspended solids to streamflow. 7 points.

(2) Extent of actual or potential damage: Damage could extend off the permit area. 16 points.

B. Obstruction to enforcement: -----

Negligence: ORDINARY NEGLIGENCE 12 points.

Good Faith: WILL BE CONSIDERED AFTER COMPLETE INFORMATION IS RECEIVED