0008

CEP/007/006

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

January 5, 1982

#0367224

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

RE: Proposed Assessment for
State Violation No. N81-4-5-2-3-2

Dear Mr. Williams:

Enclosed you will find the proposed civil penalty assessment for this violation. The violation was cited by Division Inspector David Lof on November 30, 1981.

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 Rule UMC/SMC 845.2 et. seq.

You may or may not request that the Division establish an assessment conference at this time. If no conference is requested by you within 30 days of your receipt of this letter the violation will be reassessed considering available facts and you will be required to pay the civil penalty as reassessed.

Should you decide to request an assessment conference you must do so in writing within 30 days of your receipt of this letter. Please specify in your request what the nature of your contest to the violation will include. For your ease in responding I have classified those contests as follows:

1. A contest of the amount of the assessment and not the fact of the violation(s) having occured.

2. A contest of the facts of whether the violation(s) occurred.

Board/Charles R. Henderson, Chairman • John L. Bell • E. Steele McIntyre • Edward T. Beck
Robert R. Norman • Margaret R. Bird • Herm Olsen

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PS Form 3800, Apr. 1976 P.A. #N81-4-5-3/1-5-82/QEP-007-006

P20 0367224

RECEIPT FOR CERT[illegible]D MAIL

NO INSURANCE COVERAGE PROVIDED— NOT FOR INTERNATIONAL MAIL

(See Reverse)

SENT TO	Scott Williams-Bishopsgate
STREET AND NO.	P.O. Box 3357
P.O., STATE AND ZIP CODE	Park City, Utah 84060
POSTAGE	$
CERTIFIED FEE	¢
SPECIAL DELIVERY	¢
RESTRICTED DELIVERY	¢
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	

CONSULT POSTMASTER FOR FEES

OPTIONAL SERVICES

RETURN RECEIPT SERVICE

SAL 1982 USPS

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. [illegible]ou want delivery restricted to the addressee, or to an authorized agent of the addressee, [illegible]dorse 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

PS Form 3811, Jan. 1978 — RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete item[illegible] and 3. Add your addr[illegible] 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: Scott Williams Bishopsgate Coal Corporation P.O. Box 3357 Park City, Utah 84060
3. ARTICLE DESCRIPTION: REGISTERED NO. | CERTIFIED NO. 0367224 | INSURED NO.

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☒ Authorized agent

4. Mari L Woods
   DATE OF DELIVERY 1-12-82
5. ADDRESS (Complete only if requested)
6. UNABLE TO DELIVER BECAUSE:

PARK CITY, UT JAN 11 1982 USPS

☆ GPO : 1979-288-848

P.A. #N81-4-5-3/1-5-82/QEP-007-006

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
Natural Resources & Energy
Oil, Gas & Mining
4241 State Office Building
Salt Lake City, Utah 84114

(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)

PARK CITY, UT JAN 12 1982 USPS

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

U.S. MAIL

MARCH OF DIVES

GIVE THE

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This classification has been made to enable the Division time to arrange for a court reporter to establish a record of the proceedings in contests of the facts of a violation.

My decision resulting from the assessment conference may be appealed to the Board in a more formal proceeding.

Sincerely,

RW Daniels

RONALD W. DANIELS
ACTING ASSESSMENT OFFICER

RWD/te

ASSESSMENT WORKSHEET

NOV# N81-4-5-2

PERMIT# CEP/007/006

Name of Company Bishopsgate Coal Corporation

Violation # 1 of 2 — POINTS

1. History of previous violations
2. Seriousness (either A or B)

   A. (1) Probability of occurrence 17
      (2) Extent of potential or actual damage 16

   B. Obstruction to enforcement -

   Total Seriousness 33

3. Negligence 8

4. Good Faith (Will be considered after complete information is received) -

TOTAL POINTS 41

ASSESSMENT $ 640.00

Violation # 2 of 2 — POINTS

1. History of previous violations
2. Seriousness (either A or B)

   A. (1) Probability of occurrence 17
      (2) Extent of potential or actual damage 16

   B. Obstruction to enforcement -

   Total Seriousness 33

3. Negligence 8

4. Good Faith (Will be considered after complete information is received) -

TOTAL POINTS 41

ASSESSMENT $ 640.00

ASSESSMENT EXPLANATION

NOV# N81-4-5-2

PERMIT# CEP/007/006

Name of Company Bishopsgate Coal Corporation

Violation # 1 of 2

History of previous violations:

Seriousness: (either A or B)

A. (1) Probability of occurrence:

The violation, failure to prevent additional contribution of suspended solids to runoff or streamflow is deemed to have resulted in the same events having occurred. 17 points.

(2) Extent of actual or potential damage:

Damage would extend outside the permit area. 16 points.

B. Obstruction to enforcement:

Negligence: ORDINARY NEGLIGENCE

8 points.

Good Faith: WILL BE CONSIDERED AFTER COMPLETE INFORMATION IS RECEIVED

ASSESSMENT EXPLANATION

NOV# N81-4-5-2

PERMIT# CEP/007/006

Name of Company Bishopsgate Coal Corporation

Violation # 2 of 2

History of previous violations:

Seriousness: (either A or B)

A. (1) Probability of occurrence:

The violation, failure to return unneeded excavations to approximate original contour promptly after use is deemed to have resulted in the event of additional sediment contribution to off-site areas occurring. 17 points.

(2) Extent of actual or potential damage:

Damage has occurred off-site to adjacent farmland. 16 points.

B. Obstruction to enforcement:

Negligence: ORDINARY NEGLIGENCE

8 points.

Good Faith: WILL BE CONSIDERED AFTER COMPLETE INFORMATION IS RECEIVED.