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STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

Deling
~~Secretary~~

Scott M. Matheson, Governor
Temple A. Reynolds, Executive Director
Dr. G. A. (Jim) Shirazi, Division Director

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

September 8, 1983

REGISTERED RETURN RECEIPT REQUESTED *P396 996 690*

Mr. Floyd Tucker, Vice-President
and General Manager
Plateau Mining Company
P.O. Box 539
Price, Utah 84501

RE: Finalized Assessment for
State Violation No. N83-6-4-2
and N83-4-5-1
ACT/007/006
Folder No. 8
Carbon County, Utah

Dear Mr. Tucker:

The civil penalty for the Violation No. N83-6-4-2 and N83-4-5-1 has been finalized in the amount shown in the attached assessment conference report. This assessment is finalized as a result of the meeting, discussion or letter described on the reassessment form.

Any appeal to the Board of Oil, Gas and Mining must be made in writing within fifteen (15) days of your receipt of this letter. Additionally, you must have escrowed the assessed civil penalties with the Division prior to the Board Hearing. Failure to comply with the above-stated statutory requirements shall result in a waiver of your right of further recourse.

If no appeal or an untimely, improper appeal is made, the assessed civil penalties must be tendered to the Division within thirty (30) days of your receipt of this letter.

Thank you for your cooperation.

Sincerely,

RONALD W. DANIELS
ACTING ASSESSMENT OFFICER

RWD/gb

cc: Jodie Merriman, OSM, Albuquerque
Joe Helfrich, DOGM
Barbara Roberts, Attorney

Enclosure

ASSESSMENT CONFERENCE REPORT
Utah Division of Oil, Gas & Mining
1588 West North Temple
Salt Lake City, Utah

NOV/00 No. N83-6-4-2 & N83-4-5-1

Location of Conference: N.A.

Date of Conference: N.A.

Company Name/Mine Name: Plateau Mining Company / Starpoint

| <u>Persons in Attendance</u> | <u>Title</u> |
|------------------------------|--------------|
| ---- | |
| ----- | |
| ----- | |
| ----- | |

| <u>Violation No.</u> | <u>Amount of Assessment As Revised</u> |
|-------------------------|--|
| <u>N83-6-4-2 1 of 2</u> | <u>\$ 840.00</u> |
| <u>N83-6-4-2 2 of 2</u> | <u>560.00</u> |
| <u>N83-4-5-1 1 of 1</u> | <u>840.00</u> |
| <u>Total Due</u> | <u>2240.00</u> |

Approved: *RW Daniels*
(Signature of Conference Officer)

Date: 9/9/83

This assessment has been set as a result of an informal conference held by the assessment officer. Should the Company desire a review in a more formal proceeding before the Board of Oil, Gas & Mining, a hearing can be requested within 30 days of receipt of this report.

ASSESSMENT CONFERENCE REPORT
(continued)

1. Notice of Violation/~~Cancellation~~ Order No. N83-6-4-2

Violation 1 of 2

(a) Nature of violation: Failure to follow approved plan.

(b) Date of termination: May 5, 1983

| 2. Conference Result | Proposed Assessment | Final Conference Assessment |
|---------------------------------|---------------------|--|
| (a) History/Prev. Vio. | 1 | 1 |
| (b) Seriousness | | |
| (1) Probability of Occurrence | 17 | 17 |
| Extent of Damage | 16 | 16 |
| (2) Obstr. to Enforcement | | |
| (c) Negligence | 12 | 12 |
| (d) Good Faith | | |
| (e) Acreage | | |
| TOTAL | 46 | 46 |

3. Narrative:
(Brief explanation of reasons for any changes made in assignment of points and any additional information that was presented at the conference.)

ASSESSMENT CONFERENCE REPORT
(continued)

1. Notice of Violation/~~Conference~~ Order No. N83-6-4-2

Violation 2 of 2

- (a) Nature of violation: Failure to discharge in accordance with the water quality effluent limitation
- (b) Date of termination: April 5, 1983

| Conference Result | <u>Proposed Assessment</u> | Conference Final Assessment |
|-------------------------------|----------------------------|--|
| (a) History/Prev. Vio. | <u>1</u> | <u>1</u> |
| (b) Seriousness | | |
| (1) Probability of Occurrence | <u>17</u> | <u>17</u> |
| Extent of Damage | <u>16</u> | <u>16</u> |
| (2) Obstr. to Enforcement | | |
| (c) Negligence | <u>8</u> | <u>8</u> |
| (d) Good Faith | | <u>-4</u> |
| (e) Acreage | | |
| TOTAL | <u>42</u> | <u>38</u> |

3. Narrative:
(Brief explanation of reasons for any changes made in assignment of points and any additional information that was presented at the conference.)

Abatement work was eligible for good faith.

ASSESSMENT CONFERENCE REPORT
(continued)

1. Notice of Violation/~~XXXXXXXXXX~~ Order No. N83-4-5-1

Violation 1 of 1

(a) Nature of violation: Failure to maintain sediment control measures.

(b) Date of termination: August 9, 1983

| 2. XXXXXXXXXX Conference Result | <u>Proposed Assessment</u> | <u>Conference Assessment</u> |
|--|----------------------------|------------------------------|
| (a) History/Prev. Vio. | <u>1</u> | <u>1</u> |
| (b) Seriousness | | |
| (1) Probability of Occurrence | <u>17</u> | <u>17</u> |
| Extent of Damage | <u>16</u> | <u>16</u> |
| (2) Obstr. to Enforcement | <u> </u> | <u> </u> |
| (c) Negligence | <u>12</u> | <u>12</u> |
| (d) Good Faith | <u> </u> | <u> </u> |
| (e) Acreage | <u> </u> | <u> </u> |
| TOTAL | <u>46</u> | <u>46</u> |

3. Narrative:
(Brief explanation of reasons for any changes made in assignment of points and any additional information that was presented at the conference.)