



STATE OF UTAH  
NATURAL RESOURCES  
Oil, Gas & Mining

*File*

Norman H. Bangerter, Governor  
Dee C. Hansen, Executive Director  
Dianne R. Nielson, Ph.D., Division Director

355 W. North Temple • 3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340

September 11, 1985

CERTIFIED RETURN RECEIPT REQUESTED  
P 402 457 719

Mr. Ben Grimes  
Plateau Mining Company  
P. O. Box 539  
Price, Utah 84501

Dear Mr. Grimes:

RE: Finalized Assessment for State Violation No. N84-6-15-1,  
ACT/007/006, Catalog # 8, Carbon County, Utah

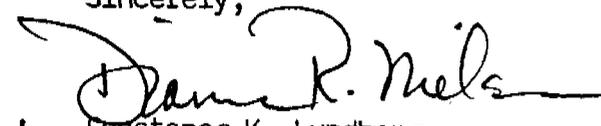
The civil penalty for the above referenced violation has been finalized. This assessment has been finalized as a result of a review of all pertinent data and facts which were not available on the date of the proposed assessment, due to the length of the abatement period.

Within fifteen (15) days of your receipt of this letter, you or your agent may make a written appeal to the Board of Oil, Gas and Mining. To do so, you must have escrowed the assessed civil penalty with the Division within a maximum of 30 days of receipt of this letter, but in all cases prior to the Board Hearing. Failure to comply with this requirement will result in a waiver of your right of further recourse.

If no timely appeal is made, this assessed civil penalty must be tendered within thirty (30) days of your receipt of this letter. Please remit payment to the Division and mail % Jan Brown at the above address.

Thank you for your cooperation.

Sincerely,

  
Constance K. Lundberg  
Assessment Officer

re

cc: Donna Griffin, OSM Albuquerque Field Office  
B. Roberts, Attorney Generals Office  
9099Q



ASSESSMENT CONFERENCE REPORT  
(continued)1. Notice of Violation/Cessation Order No. N84-6-15-1Permit # ACT/007/006Violation 1 of 1(a) Nature of violation: Failure to secure potential topsoil  
pending state approval to cease  
protection.

2. Conference Result	Proposed Assessment	Conference Assessment
(a) History/Prev. Vio.	<u>8</u>	<u>8</u>
(b) Seriousness		
(1) Probability of Occurrence	<u>1</u>	<u>1</u>
Extent of Damage	<u>2</u>	<u>2</u>
(2) Obstr. to Enforcement	<u>        </u>	<u>        </u>
(c) Negligence	<u>5</u>	<u>5</u>
(d) Good Faith	<u>- 1</u>	<u>- 7</u>
TOTAL	<u>15</u>	<u>9</u>
	TOTAL ASSESSED FINE	<u>\$ 90</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.)

Operator's arguments in mitigation of the seriousness of violation were taken into account in the proposed assessment. Fine is reduced because it appears inspector's request that topsoil be protected was of questionable merit under the circumstances

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