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Betty



STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

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

April 16, 1985

CERTIFIED RETURN RECEIPT REQUESTED
p 592 431 268

Mr. Ben Grimes
Environmental Coordinator
Plateau Mining Company
P.O. Drawer PMC
Price, Utah 84501

Dear Mr. Grimes:

RE: Finalized Assessment for State Violation No. C84-4-3-1
ACT/007/006 Catalog # 8, Carbon County, Utah

The civil penalty for the Violation No. C84-4-3-1 has been finalized in the amount shown in the attached assessment conference report. 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 to the Division within thirty (30) days of your receipt of this letter.

Thank you for your cooperation.

Sincerely,

A handwritten signature in cursive script that reads "Lorin P. Neilsen".

Lorin P. Neilsen
Assessment Conference Officer

LPN:eh

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

ASSESSMENT CONFERENCE REPORT
Utah Division of Oil, Gas & Mining
4241 State Office Building
Salt Lake City, Utah 84114

CO No. 84-4-3-1

Location of Conference: Salt Lake City

Date of Conference: April 2, 1985

Company Name/Mine Name Plateau Mining Company

Persons in Attendance

Representing

Lorin P. Nielsen
Dave Lof
Ben Grimes

Assessment Conference Officer DOGM
Inspector DOGM
Plateau Mining Company

<u>Violation No.</u>	<u>Amount of Assessment As Revised</u>
<u>C84-4-3-1</u>	<u>\$ 1080.00</u>
<u> </u>	<u> </u>
<u>TOTAL</u>	<u>\$ 1080.00</u>

Approved: *Lorin P. Nielsen*
(Signature of Conference Officer)

Date: 4/7/85

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 15 days of receipt of this report.

ASSESSMENT CONFERENCE REPORT
(continued)1. Cessation Order No. 84-4-3-1Violation 1 of 1(a) Nature of violation: Mining activity without Divison approval(b) Date of termination: October 2, 1984

2. Conference Result	<u>Proposed Assessment</u>	<u>Conference Assessment</u>
(a) History/Prev. Vio.	<u>9</u>	<u>9</u>
(b) Seriousness		
(1) Probability of Occurrence	<u>0</u>	<u>0</u>
Extent of Damage	<u>14</u>	<u>14</u>
(2) Obstr. to Enforcement	<u></u>	<u></u>
(c) Negligence	<u>30</u>	<u>30</u>
(d) Good Faith	<u>-1</u>	<u>-1</u>
(e) Acreage	<u></u>	<u></u>
TOTAL	<u>52</u>	<u>52</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.)

History: Affirmed

Probability: PMC application to BLM for right of way states road would be permanent access road to loadout facilities. Affirmed.

Extent: Affirmed

Negligence: Affirmed

Good Faith: Affirmed