

*Marie J.*

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# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

Norman H. Bangerter  
Governor  
Dee C. Hansen  
Executive Director  
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Division Director

355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203  
801-538-5340

August 2, 1989

CERTIFIED RETURN RECEIPT REQUESTED  
P 075 063 180

Mr. Ben Grimes  
Cyprus-Plateau Mining Company  
P.O. Drawer PMC  
Price, Utah 84501

Dear Mr. Grimes:

Re: Finalized Assessment for State Violation No. N89-26-17-1, ACT/007/006, Folder #5, Carbon County, Utah

The civil penalty for the above-referenced violation has been finalized. Please note that no fine has been assessed. This assessment has been finalized as a result of a review of all pertinent data and facts including those presented in the assessment conference by you or your representative and the Division of Oil, Gas and Mining inspector.

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. Failure to comply with this requirement will result in a waiver of your right of further recourse.

Thank you for your cooperation.

Sincerely,

Joseph C. Helrich  
Assessment Conference Officer

jb  
cc: John C. Kathmann, OSM, AFO  
MN37/22

WORKSHEET FOR FINAL ASSESSMENT OF PENALTIES  
 UTAH DIVISION OF OIL, GAS AND MINING

COMPANY/MINE Cyprus-Plateau Mining Co.

NOV # 89-26-17-1

PERMIT # ACT/007/006

VIOLATION 1 OF 1

Assessment Date 8/2/89

Assessment Officer Joseph C. Helfrich

Nature of Violation: Failure to slope and regrade diversion ditches #'s 16 and 76. Failure to complete installment of silt fences in ditch #8 below sediment pond #5.

Date of Termination: 5/31/89 Effective 5/25/89

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Prev. Violations	<u>2</u>	<u>2</u>
(2) Seriousness		
(a) Probability of Occurrence	<u>-</u>	<u>-</u>
Extent of Damage	<u>-</u>	<u>-</u>
(b) Hindrance to Enforcement	<u>-</u>	<u>-</u>
(3) Negligence	<u>16</u>	<u>3</u>
(4) Good Faith	<u>- 5</u>	<u>- 5</u>
TOTAL	<u>13</u>	<u>0</u>
TOTAL ASSESSED FINE		\$ <u>- 0 -</u>

3. Narrative:

(Brief explanation for any changes made in assignment of points and any additional information that was available after the proposed assessment).

Additional information received after the proposed assessment reflected that at the time of issuance of the violation, the operator was actively achieving compliance; thus the negligence points are reduced from 16 to 3.

jb  
 MN34/22