

0014

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OIL, GAS, AND MINING BOARD

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Executive Director,
NATURAL RESOURCES

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS, AND MINING
1588 West North Temple
Salt Lake City, Utah 84116
(801) 533-5771

JOHN L. BELL
EDWARD T. BECK
E. STEELE MCINTYRE
BOB NORMAN
MARGARET BIRD
HERM OLSEN

CLEON B. FEIGHT
Director

August 25, 1981

#0367499

REGISTERED - RETURN RECEIPT REQUESTED

Act/1007/007

Mr. John Huefner
Kaiser Steel Corporation
P.O. Box D
Sunnyside, Utah 84539

RE: Assessment Conference Report
and Assessment of Civil Penalty
Violation No. #N81-1-3-5

Dear Mr. Huefner:

Enclosed please find the Division's Assessment Conference Report concerning violations of the Utah Coal Mining and Reclamation Act, U.C.A., 40-10-1, et seq., at the Sunnyside Complex, Carbon County, Utah. The civil penalty of \$2,020.00 is hereby assessed by the Board of Oil, Gas and Mining unless you apply for review and public hearing before the Board within 30 days of receipt of this letter and the Assessment Conference Report.

Should you choose not to seek a public hearing concerning this matter, the civil assessment must be paid to the Division within 30 days of receipt of this letter and the Assessment Conference Report.

Please contact the Division if you have any questions or informational needs.

Sincerely,

RONALD W. DANIELS
ACTING ASSESSMENT OFFICER

RWD/te

cc: Inspector
Assessment Officer

Enclosure

P20 0367499

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL
(See Reverse) 8/25/81

PS Form 3800, Apr. 1976 A.C.R. # 181-1-3-5 / ACI-007-007

SENT TO		John Huefner-Kaiser	
STREET AND NO.		P.O. Box D.	
P.O. STATE AND ZIP CODE		Sunnyside, UT. 84539	
POSTAGE		\$	
CONSULT POSTMASTER FOR FEES	CERTIFIED FEE	c	
	SPECIAL DELIVERY	c	
	RESTRICTED DELIVERY	c	
	OPTIONAL SERVICES		
	RETURN RECEIPT SERVICE		
	SHOW TO WHOM AND DATE DELIVERED	c	
SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	c		
SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	c		
SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	c		
TOTAL POSTAGE AND FEES		\$	
POSTMARK OR DATE		Jus	

1. If you want this receipt postmarked, stick the gummed stub on the left portion of the article, leaving the receipt attached, and present the article at a post office service 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 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 receipt card, Form 3811, and attach it to the front of the article by means of the gummi permits. Otherwise, affix to back of article. Endorse front of article RETURN RECEIPT R adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the address endorse 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 is requested, check the applicable blocks in Item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

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

NOV/CO No. N81-1-3-5Location of Conference: Salt Lake City, UtahDate of Conference: July 28, 1981Company Name/Mine Name: Kaiser Steel Corporation

<u>Persons in Attendance</u>	<u>Title</u>
<u>John Huefner</u>	<u>Kaiser Steel Corporation</u>
<u>Denise A. Dragoo</u>	<u>Counsel for Kaiser Steel Corp.</u>
<u>Ronald W. Daniels, Joseph C. Helfrich</u>	<u>Division of Oil, Gas and Mining</u>

<u>Violation No.</u>	<u>Points Change</u>	<u>Amount of Assessment As Revised</u>
<u>1 of 5</u>	<u>-8</u>	<u>\$ 480.00</u>
<u>2 of 5</u>	<u>-1</u>	<u>600.00</u>
<u>3 of 5</u>	<u>-2</u>	<u>600.00</u>
<u>4 of 5</u>	<u>-8</u>	<u>340.00</u>
<u>5 of 5</u>	<u>-44</u>	<u>Vacated per Inspector Notice of 8/4/81.</u>
<u>TOTAL</u>		<u>\$2,020.00</u>

Approved:

Ronald W. Daniels
(Signature of Conference Officer)

Date:

8/25/81

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/Cessation Order No. N81-1-3-5

Violation 1 of 5

(a) Nature of violation: Failure to protect topsoil.

(b) Date of termination: _____

2. Conference Result	<u>Proposed Assessment</u>	<u>Conference Assessment</u>
(a) History/Prev. Vio.	<u>14</u>	<u>14</u>
(b) Seriousness		
(1) Probability of Occurrence	<u>11</u>	<u>10</u>
Extent of Damage	<u>9</u>	<u>9</u>
(2) Obstr. to Enforcement	<u>-</u>	<u>-</u>
(c) Negligence	<u>8</u>	<u>8</u>
(d) Good Faith	<u>-</u>	<u>-7</u>
(e) Acreage	<u>-</u>	<u>-</u>
TOTAL	<u>42</u>	<u>34</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.)

Good faith was demonstrated within 10 days.

ASSESSMENT CONFERENCE REPORT
(continued)

1. Notice of Violation/Cessation Order No. N81-1-3-5

Violation 2 of 5

- (a) Nature of violation: Failure to obtain approval of stream channel diversion and failure to minimize disturbance to the hydrologic balance.
- (b) Date of termination: (Pending)

2. Conference Result	<u>Proposed Assessment</u>	<u>Conference Assessment</u>
(a) History/Prev. Vio.	<u>14</u>	<u>14</u>
(b) Seriousness		
(1) Probability of Occurrence	<u>11</u>	<u>10</u>
Extent of Damage	<u>8</u>	<u>8</u>
(2) Obstr. to Enforcement	<u>-</u>	<u>-</u>
(c) Negligence	<u>8</u>	<u>-</u>
(d) Good Faith	<u>-</u>	<u>-</u>
(e) Acreage	<u>-</u>	<u>-</u>
TOTAL	<u>41</u>	<u>40</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.)

ASSESSMENT CONFERENCE REPORT
(continued)

1. Notice of Violation/Cessation Order No. N81-1-3-5

Violation 3 of 5

(a) Nature of violation: Failure to pass runoff through a treatment facility

(b) Date of termination: Pending

2. Conference Result	<u>Proposed Assessment</u>	<u>Conference Assessment</u>
(a) History/Prev. Vio.	<u>14</u>	<u>14</u>
(b) Seriousness		
(1) Probability of Occurrence	<u>11</u>	<u>10</u>
Extent of Damage	<u>9</u>	<u>8</u>
(2) Obstr. to Enforcement	<u>-</u>	<u>-</u>
(c) Negligence	<u>8</u>	<u>8</u>
(d) Good Faith	<u>-</u>	<u>-</u>
(e) Acreage	<u>-</u>	<u>-</u>
TOTAL	<u>42</u>	<u>40</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.)

ASSESSMENT CONFERENCE REPORT
(continued)

1. Notice of Violation/Cessation Order No. N81-1-3-5

Violation 4 of 5

(a) Nature of violation: Operating without a permit.

(b) Date of termination: July 15, 1981

2. Conference Result	<u>Proposed Assessment</u>	<u>Conference Assessment</u>
(a) History/Prev. Vio.	<u>14</u>	<u>14</u>
(b) Seriousness		
(1) Probability of Occurrence	<u>-</u>	<u>-</u>
Extent of Damage	<u>-</u>	<u>-</u>
(2) Obstr. to Enforcement	<u>13</u>	<u>10</u>
(c) Negligence	<u>8</u>	<u>8</u>
(d) Good Faith	<u>-</u>	<u>-5</u>
(e) Acreage	<u>-</u>	<u>-</u>
TOTAL	<u>35</u>	<u>27</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.)

Some good faith was demonstrated by the operator in achieving compliance.

ASSESSMENT CONFERENCE REPORT
(continued)

1. Notice of Violation/Cessation Order No. N81-1-3-5

Violation 5 of 5

(a) Nature of violation: Failure to maintain roads to minimize erosion.

(b) Date of termination: August 4, 1981

2. Conference Result	Proposed Assessment	Conference Assessment
(a) History/Prev. Vio.	<u>4</u>	<u> </u>
(b) Seriousness		
(1) Probability of Occurrence	<u>12</u>	<u> </u>
Extent of Damage	<u>20</u>	<u> </u>
(2) Obstr. to Enforcement	<u>-</u>	<u> </u>
(c) Negligence	<u>8</u>	<u> </u>
(d) Good Faith	<u>-</u>	<u> </u>
(e) Acreage	<u>-</u>	<u> </u>
TOTAL	<u>44</u>	<u> </u>

Vacated per inspection notice dated 8/4/81.

3. Narrative:

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