



0035

STATE OF UTAH  
NATURAL RESOURCES & ENERGY  
Oil, Gas & Mining

Scott M. Matheson, Governor  
Temple A. Reynolds, Executive Director  
Cleon B. Feight, Division Director

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

May 14, 1982

# 0367304

REGISTERED - RETURN RECEIPT REQUESTED

ACT/007/007

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

RE: Assessment Conference Report and  
Assessment of Civil Penalty  
Cessation Order No. C82-4-1-2

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 \$380.00 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

Enclosure

cc: Assessment Officer  
Field Supervisor

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE.  
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)**

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

\* GPO : 1979 O - 289-363

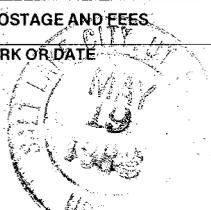
P20 0367304

**RECEIPT FOR CERTIFIED MAIL**

NO INSURANCE COVERAGE PROVIDED—  
NOT FOR INTERNATIONAL MAIL  
(See Reverse)

PS Form 3800, Apr. 1979  
 #083-4215-4-83/ACT-001-00

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



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

~~NOV~~/CO No. C82-4-1-2

Location of Conference: Sunnyside, Utah

Date of Conference: May 6, 1982

Company Name/Mine Name: Kaiser Steel Corporation/Sunnyside Complex

<u>Persons in Attendance</u>	<u>Title</u>
<u>Brett Harvey, Lynn Huntsman, John Huefner</u>	<u>Kaiser Steel Corporation</u>
<u>Joe Helfrich, Dave Lof, Jean Doutre</u>	<u>Division of Oil, Gas &amp; Mining</u>
<u>Ron Daniels, Carolyn Driscoll</u>	<u>Division of Oil, Gas &amp; Mining</u>

<u>Violation No.</u>	<u>Amount of Assessment As Revised</u>
<u>1 of 2</u>	<u>\$ Vacated</u>
<u>2 of 2</u>	<u>380.00</u>
<u> </u>	<u> </u>

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

Date: 5/17/82

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. C82-4-1-2

Violation 1 of 2

(a) Nature of violation: Failure to conduct activities with approval of the Division.

(b) Date of termination: \_\_\_\_\_

2. Conference Result	Proposed Assessment	Conference Assessment
(a) History/Prev. Vio.	7	Vacated*
(b) Seriousness		
(1) Probability of Occurrence	-	
Extent of Damage	-	
(2) Obstr. to Enforcement	13	
(c) Negligence	10	
(d) Good Faith	-	
(e) Acreage	-	
TOTAL	30	

3. Narrative:

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

This portion of the violation is vacated based on Kaiser Steel Corp.'s having submitted a waste disposal area plan (map dated 7/5/79 that encompassed this area) with its letter dated 7/3/79. The Division accepted this plan and approved it by implication in its 8/20/79 letter to Kaiser Steel Corporation.

ASSESSMENT CONFERENCE REPORT  
(continued)

1. Notice of Violation/Cessation Order No. C82-4-1-2

Violation 2 of 2

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

(b) Date of termination: \_\_\_\_\_

2. Conference Result	<u>Proposed Assessment</u>	<u>Conference Assessment</u>
(a) History/Prev. Vio. (See NOV #N82-4-3-3 for details)	_____	7
(b) Seriousness		
(1) Probability of Occurrence	_____	10
Extent of Damage	_____	2
(2) Obstr. to Enforcement	_____	-
(c) Negligence	_____	10
(d) Good-Faith	_____	-
(e) Acreage	_____	-
TOTAL	*	29

3. Narrative:

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

\*This part of the violation was overlooked in the proposed assessment.

Topsoil in this instance is defined as plant support material. The material has the capability to support vegetation but is the remnant of reclamation from previous years (pre-1977). Thus, its contamination/compaction is not as critical, especially in light of this area having been used as a trail for crawler-tractor access to the coarse refuse dump.