



0036

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

FILE

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 11, 1982

#P324 741 380

REGISTERED RETURN RECEIPT REQUESTED

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

RE: Assessment Conference Report  
and Assessment of Civil Penalty  
Violation No. N82-4-3-3

Dear Mr. Huefner:

Enclosed please find the Division's Assessment Conference Report concerning violations of the Utah Coal Mining and Reclamation Act, UCA, 40-10-1, et seq., at the Pinnacle Mine, Carbon County, Utah. The civil penalty of \$240.00 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

Enclosure

cc: Field Supervisor  
Assessment Officer

RWD/btb

**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, affix to back of article **RETURN RECEIPT REQUESTED** adjacent to the number.
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GPO: 1980 331-003

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**RECEIPT FOR CERTIFIED MAIL**

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

SENT TO		John Huefner		
STREET AND NO.		PO Box D		
P.O., STATE AND ZIP CODE		Sunnyside, UT 84539		
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		MAY 11 1982 SALT LAKE CITY, UT U.S. NO. 8 USPO		

PS Form 3800, Apr. 1976

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

NOV/CO No. N82-4-3-3

Location of Conference: Sunnyside, Utah

Date of Conference: May 6, 1982

Company Name/Mine Name: Kaiser Steel Corporation/Sunnyside Complex - ACT/007/007

<u>Persons in Attendance</u>	<u>Title</u>
<u>Brett Harvey, Lynn Huntsman, John Huefner</u>	<u>Kaiser Steel Corporation</u>
<u>Jean Doutre, Joe Helfrich, David Lof,</u>	<u>Division of Oil, Gas and Mining</u>
<u>Carolyn Driscoll</u>	<u>Division of Oil, Gas and Mining</u>

<u>Violation No.</u>	<u>Amount of Assessment As Revised</u>
<u>1 of 3</u>	<u>\$ 00.00</u>
<u>2 of 3</u>	<u>240.00</u>
<u>3 of 3</u>	<u>Vacated</u>
<u>TOTAL</u>	<u>\$ 240.00</u>

Approved: *RW Daniels* Date: 5/11/82  
 (Signature of Conference Officer)

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. The civil penalty must be placed in escrow with the Division prior to attending a formal hearing before the Board.

ASSESSMENT CONFERENCE REPORT  
(continued)

1. Notice of Violation/~~Cessation Order~~ No. N82-4-3-3

Violation 1 of 3

- (a) Nature of violation: Failure to pass runoff through a sediment treatment facility.  
 (b) Date of termination: April 23, 1982

2. Conference Result	Proposed Assessment	Conference Assessment
(a) History/Prev. Vio.	7	--
(b) Seriousness		
(1) Probability of Occurrence	15	--
Extent of Damage	10	--
(2) Obstr. to Enforcement	--	--
(c) Negligence	8	--
(d) Good Faith	--	--
(e) Acreage	--	--
TOTAL	40	--*

3. Narrative:

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

\*The violation stands as written, but the use of the points system is waived in assessing the civil penalty. No penalty assessed.

Waiver of the points system is due to the small size of the area in question, the uncertainty of the nature of the pad construction material, and the fact that the pad has been present and used for nonintensive (fan maintenance) activity only.

ASSESSMENT CONFERENCE REPORT  
(continued)

1. Notice of Violation/~~Cessation Order~~ No. N82-4-3-3

Violation 2 of 3

(a) Nature of violation: Failure to design, maintain and construct surface operations properly.

(b) Date of termination: Pending

2. Conference Result	Proposed Assessment	Conference Assessment
(a) History/Prev. Vio. Vio.	<u>7</u>	<u>7</u>
(b) Seriousness		
(1) Probability of Occurrence	<u>15</u>	<u>7</u>
Extent of Damage	<u>10</u>	<u>4</u>
(2) Obstr. to Enforcement	<u>--</u>	<u>--</u>
(c) Negligence	<u>8</u>	<u>4</u>
(d) Good-Faith	<u>--</u>	<u>--</u>
(e) Acreage	<u>--</u>	<u>--</u>
TOTAL	<u>40</u>	<u>22</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.)

Points are reduced due to the violation(s) having less of an impact than originally estimated and the operator having taken steps immediately to abate the majority of the parts of the violation.

ASSESSMENT CONFERENCE REPORT  
(continued)

1. Notice of Violation/~~Cancellation Order~~ No. N82-4-3-3

Violation 3 of 3

- (a) Nature of violation: Failure to conduct mining activities in a manner which minimized changes in the hydrologic balance.  
 (b) Date of termination: \_\_\_\_\_

2. Conference Result	Proposed Assessment	Conference Assessment
(a) History/Prev. Vio. <del>File</del>	<u>7</u>	<u>Violation</u>
(b) Seriousness <del>Ass</del>		
(1) Probability of Occurrence <del>Ass</del>	<u>12</u>	<u>Vacated</u>
Extent of Damage <del>Ass</del>	<u>12</u>	
(2) Obstr. to Enforcement	<u>--</u>	
(c) Negligence	<u>8</u>	
(d) Good-Faith	<u>--</u>	
(e) Acreage <del>Ass</del>	<u>--</u>	
TOTAL	<u>39</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.)

The operator agreed that the pond should be removed from the sediment collection system for the Sunnyside Mine. The pond area will be removed from the mine's disturbed area by map redelineation and may be used for any other purpose which the mine sees fit, or removed.