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BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
IN AND FOR THE STATE OF UTAH

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DIVISION OF OIL, GAS, & MINING,	:	MOTION FOR ENTRY OF
	:	CONSENT ORDER AND
Complainant,	:	CONSENT ORDER
v.	:	
KAISER STEEL CORPORATION,	:	ACT/007/007
Respondent.	:	

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STATEMENT OF FACTS

On August 17, 1983, Notice of Violation (NOV 83-6-10-1) was issued by Inspector Barton D. Kale, Utah Division of Oil, Gas & Mining, ("Division") against Kaiser Steel Corporation, Sunnyside Mine ("Kaiser"). The violation was based upon disturbance caused by a trailer site occupied by a subcontractor for Mono Power Corporation which was located on Kaiser's property near the site of Great National Corporation's (GNC) tar sands operations. The violation cites Kaiser for "failure to mine in accordance with an approved plan" under UMC 771.19; "failure to maintain or construct sediment controls" under UMC 817.45(i) and (ii). At the time of citation, Kaiser had taken action to remove the trailers from the site. The Division citation required Kaiser to take further remedial action to regrade and reseed the trailer pad and block access to the site until the area was stabilized. Kaiser took the remedial action requested within thirty (30) days of issuance of the violation.

On November 16, 1983, the Assessment Officer conferred with the Board during its Executive Session in Vernal, Utah. Counsel for Kaiser was present during this meeting. As a result of this session, the Board instructed the Assessment Officer to vacate NOV 83-6-10-1.

MOTION FOR ENTRY OF CONSENT ORDER

Division of Oil, Gas & Mining and Kaiser Steel Corporation state that they have resolved and agreed to settle all matters relating to the Notice Of Violation 83-6-10-1 issued to Kaiser on or about August 17, 1983.

Accordingly, both parties move that the Board adopt the Consent Order set forth below and enter said Consent Order as its final order in these matters.

CONSENT ORDER

1. Activities cited under NOV 83-6-10-1 involve installation of a trailer paid for by a non-coal mining operator conducting activities independent from coal mining operations at Kaiser's Sunnyside Mine.

2. The Division and Board agree that in consideration of the facts of this matter, no violation of the Utah Coal Mining & Reclamation Act, Section 40-10-1 et seq., has occurred.

3. The Division and Board agree that NOV 83-6-10-1 is vacated.

SO AGREED, this 23rd day of February, 1984.



Gregory P. Williams, Chairman
Utah Board of Oil, Gas & Mining



Denise A. Dragoo, Esq.
Representing Kaiser Steel Corporation



Dianne R. Nielson, Director
Utah Division of Oil, Gas & Mining