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NOV



STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

Norman H. Bangerter, Governor
Dee C. Hansen, Executive Director
Dianne R. Nielson, Ph.D., Division Director

355 W. North Temple • 3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340

January 24, 1986

CERTIFIED RETURN RECEIPT REQUESTED
P 001 720 872

Mr. Douglas C. Pearce
Kaiser Coal Corporation
PO Box D
Sunnyside, Utah 84539

Dear Mr. Pearce:

RE: Proposed Assessment for State Violation No.'s C85-4-6-1, C85-4-8-3,
N85-4-17-3, N85-4-19-1, N85-4-20-2, N85-4-21-3, N85-4-24-3, ACT/007/007,
Folder #8, Carbon County, Utah

The undersigned has been appointed by the Board of Oil, Gas and Mining as the Assessment Officer for assessing penalties under UMC/SMC 845.11-845.17.

Enclosed is the proposed civil penalty assessment for the above referenced violations. These violations were issued by Division Inspector Dave Lof between May 13, 1985 and September 25, 1985. Rule UMC/SMC 845.2 et seq. has been utilized to formulate the proposed penalty. By these rules, any written information submitted by you or your agent within 15 days of receipt of this notice of violation has been considered in determining the facts surrounding the violation and the amount of penalty.

Within fifteen (15) days after receipt of this proposed assessment, you or your agent may file a written request for an assessment conference to review the proposed penalty. (Address a request for a conference to Ms. Jan Brown at the above address.) If no timely request is made, all pertinent data will be reviewed and the penalty will be reassessed, if necessary, for a finalized assessment. Facts will then be considered which were not available on the date of the proposed assessment due to the length of the abatement period. This assessment does not constitute a request for payment.

Sincerely,

A handwritten signature in cursive script that reads "Mike Earl".

Mike Earl
Assessment Officer

jmc
Enclosure
cc: D. Griffin
7314Q

SUMMARY OF PROPOSED ASSESSMENTS OF PENALTIES
UTAH DIVISION OF OIL, GAS AND MINING
355 West North Temple 3 Triad Center Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340

COMPANY/MINE Kaiser/Sunnyside PERMIT # ACT/007/007

NOV/CO #	AMOUNT
<u>C85-4-6-1</u>	<u>\$ 750</u>
<u>C85-4-8-3 #1</u>	<u>3,750</u>
<u>C85-4-8-3 #2</u>	<u>1,500</u>
<u>C85-4-8-3 #3</u>	<u>1,500</u>
<u>N85-4-17-3 #1</u>	<u>200</u>
<u>N85-4-17-3 #2</u>	<u>400</u>
<u>N85-4-17-3 #3</u>	<u>460</u>
<u>N85-4-19-1</u>	<u>460</u>
<u>N85-4-20-2 #1</u>	<u>500</u>
<u>N85-4-20-2 #2</u>	<u>540</u>
<u>N85-4-21-3 #1</u>	<u>110</u>
<u>N85-4-21-3 #2</u>	<u>240</u>
<u>N85-4-21-3 #3</u>	<u>30</u>
<u>N85-4-24-3 #1</u>	<u>300</u>
<u>N85-4-24-3 #2</u>	<u>440</u>
<u>N85-4-24-3 #3</u>	<u>520</u>
TOTAL ASSESSED FINES	<u>\$ 11,700</u>

WORKSHEET FOR ASSESSMENT OF CESSATION ORDERS
UTAH DIVISION OF OIL, GAS AND MINING

COMPANY/MINE Kaiser/Sunnyside CO # C85-4-6-1

PERMIT # ACT/007/007 VIOLATION 1 OF 1

INSPECTOR Dave Lof DATE ISSUED June 20, 1985

NATURE OF THE CESSATION ORDER: Failure to Abate NOV# N85-4-17-3

#3 of 3

DATE OF ABATEMENT OF CESSATION ORDER: June 20, 1985

DATE OF RECEIPT OF CESSATION ORDER: June 20, 1985

LIST THE DAYS OF FAILURE TO ABATE: June 20, 1985

TOTAL NUMBER OF DAYS OF FAILURE TO ABATE: 1 day

NUMBER OF DAYS X \$750/DAY = TOTAL ASSESSED FINE: \$750

ASSESSMENT DATE 1/23/86 ASSESSMENT OFFICER Mike Earl

Mike Earl

X PROPOSED ASSESSMENT _____ FINAL ASSESSMENT

0109Q

WORKSHEET FOR ASSESSMENT OF CESSATION ORDERS
UTAH DIVISION OF OIL, GAS AND MINING

COMPANY/MINE Kaiser/Sunnyside CO # C85-4-8-3

PERMIT # ACT/007/007 VIOLATION 1 OF 3

INSPECTOR Dave Lof DATE ISSUED Sept 25, 1985

NATURE OF THE CESSATION ORDER: Failure to abate N85-4-21-3 #2 of 3

DATE OF ABATEMENT OF CESSATION ORDER: Sept. 30, 1985 5:45 p.m.

DATE OF RECEIPT OF CESSATION ORDER: Sept. 25, 1985 5:15 p.m.

LIST THE DAYS OF FAILURE TO ABATE: Sept. 25, 1985 at 5:15 p.m. to
Sept. 30 at 5:45 p.m.

TOTAL NUMBER OF DAYS OF FAILURE TO ABATE: 5 days

NUMBER OF DAYS X \$750/DAY = TOTAL ASSESSED FINE: \$3,750

ASSESSMENT DATE 1/23/86 ASSESSMENT OFFICER Mike Earl

Mike Earl

X PROPOSED ASSESSMENT _____ FINAL ASSESSMENT

WORKSHEET FOR ASSESSMENT OF CESSATION ORDERS
UTAH DIVISION OF OIL, GAS AND MINING

COMPANY/MINE Kaiser/Sunnyside CO # C85-4-8-3
PERMIT # ACT/007/007 VIOLATION 2 OF 3
INSPECTOR Dave Lof DATE ISSUED Sept 25, 1985
NATURE OF THE CESSATION ORDER: Failure to Abate NOV# N85-4-24-3 #1 of 3
DATE OF ABATEMENT OF CESSATION ORDER: Terminated Effective Sept 27, 1985
DATE OF RECEIPT OF CESSATION ORDER: Sept 25, 1985
LIST THE DAYS OF FAILURE TO ABATE: Sept 25, 1985 to Sept 27, 1985
TOTAL NUMBER OF DAYS OF FAILURE TO ABATE: 2 days
NUMBER OF DAYS X \$750/DAY = TOTAL ASSESSED FINE: \$1,500
ASSESSMENT DATE 1/23/86 ASSESSMENT OFFICER Mike Earl

Mike Earl

X PROPOSED ASSESSMENT _____ FINAL ASSESSMENT

0109Q

WORKSHEET FOR ASSESSMENT OF CESSATION ORDERS
UTAH DIVISION OF OIL, GAS AND MINING

COMPANY/MINE Kaiser/Sunnyside CO # C85-4-8-3
PERMIT # ACT/007/007 VIOLATION 3 OF 3
INSPECTOR Dave Lof DATE ISSUED Sept. 25, 1985
NATURE OF THE CESSATION ORDER: Failure to Abate NOV# N85-4-24-3
DATE OF ABATEMENT OF CESSATION ORDER: Terminated Effective Sept 27, 1985
DATE OF RECEIPT OF CESSATION ORDER: Sept 25, 1985
LIST THE DAYS OF FAILURE TO ABATE: Sept 25, 1985 to Sept 27, 1985
TOTAL NUMBER OF DAYS OF FAILURE TO ABATE: 2 days
NUMBER OF DAYS X \$750/DAY = TOTAL ASSESSED FINE: \$1,500
ASSESSMENT DATE 1/23/86 ASSESSMENT OFFICER Mike Earl

Mike Earl

X PROPOSED ASSESSMENT _____ FINAL ASSESSMENT

0109Q