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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

File

February 22, 1985

REGISTERED RETURN RECEIPT REQUESTED
P 402 457 369

Ms. Jean Semborski
U. S. Fuel Company
Hiawatha Complex
Hiawatha, Utah 84501

Dear Ms. Semborski

RE: Finalized Assessment for State Violation No. N84-4-9-1,
ACT/007/011, Folder #8, Carbon County, Utah

The civil penalty for the violation No. N84-4-9-1 has been finalized in the amount shown in the attached assessment conference report. This assessment is finalized as a result of the meeting, discussion or letter described on the reassessment form.

Any appeal to the Board of Oil, Gas and Mining must be made in writing within fifteen (15) days of your receipt of this letter. Additionally, you must have escrowed the assessed civil penalties with the Division within a maximum of 30 days of receipt of this letter but in all cases prior to the Board Hearing. Failure to comply with the above-stated statutory requirements shall result in a waiver of your right of further recourse.

If no appeal or an untimely improper appeal is made, the assessed civil penalties must be tendered to the Division within thirty (30) days of your receipt of this letter.

Thank you for your cooperation.

Sincerely,

Lorin P. Nielsen
Assessment Conference Officer

re
cc: Donna Griffin, DSM Albuquerque
Joe Helfrich
Barbara Roberts
03900

ASSESSMENT CONFERENCE REPORT
 Utah Division of Oil, Gas & Mining
 4241 State Office Building
 Salt Lake City, Utah 84114

NOV/CO No. N84-4-9-1

Location of Conference: Salt Lake City, Utah

Date of Conference: January 28, 1985

Company Name/Mine Name: United States Fuel Company/Hiawatha Complex

Persons in Attendance

Representing

Lorin P. Nielsen
David Lof
Tom Wright
Jean Semborski
Paul Schank
Robert Eccli
Mike Keller

Assessment Conference Officer DOGM
DOGM
DOGM
U. S. Fuel
U. S. Fuel
U. S. Fuel
Attorney for U. S. Fuel

Violation No.

Amount of Assessment
 As Revised

N84-4-9-1

\$ 580.

TOTAL

\$ 580.

Approved: Lorin P. Nielsen
 (Signature of Conference Officer)

Date: 2/22/85

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 15 days of receipt of this report.

ASSESSMENT CONFERENCE REPORT
(continued)1. Notice of Violation/Cessation Order No. N84-4-9-1Violation 1 of 1(a) Nature of violation: Placement and storage of noncoal waste
so as to prevent fires.(b) Date of termination: June 8, 1984

2. Conference Result	<u>Proposed Assessment</u>	<u>Conference Assessment</u>
(a) History/Prev. Vio.	<u>7</u>	<u>7</u>
(b) Seriousness		
(1) Probability of Occurrence	<u>7</u>	<u>7</u>
Extent of Damage	<u>8</u>	<u>8</u>
(2) Obstr. to Enforcement		
(c) Negligence	<u>18</u>	<u>18</u>
(d) Good Faith	<u>-1</u>	<u>-1</u>
(e) Acreage		
TOTAL	<u>39</u>	<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.)

No new information presented. Affirmed