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State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

file

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Governor

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Salt Lake City, Utah 84180-1203
801-538-5340

August 19, 1991

CERTIFIED RETURN RECEIPT REQUESTED
P 074 979 116

Mr. Bob Eccli
U.S. Fuel Company
P.O. Box A
Hiawatha, Utah 84527

Dear Mr. Eccli:

Re: Finalized Assessment for State Violation #N91-39-1-4, U.S. Fuel Company, Hiawatha Complex, ACT/007/011, Folder #5, Carbon County, Utah

The civil penalty for the above-referenced violation has been finalized. This assessment has been finalized as a result of a review of all pertinent data and facts including those presented in the assessment conference by you or your representative and the Division of Oil, Gas and Mining inspector.

Within fifteen (15) days of your receipt of this letter, you or your agent may make a written appeal to the Board of Oil, Gas and Mining. To do so, you must escrow the assessed civil penalty with the Division within a maximum of thirty (30) days of receipt of this letter, but in all cases prior to the Board Hearing. Failure to comply with this requirement will result in a waiver of your right of further recourse.

If no timely appeal is made, this assessed civil penalty must be tendered within thirty (30) days of your receipt of this letter. Please remit payment to the Division, mail c/o Vicki Bailey at the address listed above.

Thank you for your cooperation.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read 'Tom Mitchell'.

Tom Mitchell
Assessment Conference Officer

jbe
Enclosure

cc: John C. Kathmann, OSM, AFO

P 074 979 116

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED

NOT FOR INTERNATIONAL MAIL

(See Reverse)

DOGM

JBE

ACT/007/011

N91-39-1-4

FA

Sent to BOB ECCLI	
Street and ELI & FUEL COMPANY	
P O BOX A	
P.O. State and ZIP Code HIAWATHA UT 84527	
Postage	\$ 52
Certified Fee	100
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	100
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$ 252
Postmark or Date	



PS Form 3800, June 1985

**WORKSHEET FOR FINAL ASSESSMENT OF PENALTIES
UTAH DIVISION OF OIL, GAS AND MINING**

COMPANY/MINE U.S. Fuel Company/Hiawatha Complex NOV #N91-39-1-4

PERMIT # ACT/007/011 VIOLATION 1 of 4

Assessment Date 08/19/91 Assessment Officer Tom Mitchell

Nature of
Violation: Failure to have principle and emergency spillways.

Date of Termination: 06/18/91

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Previous Violations	<u>1</u>	<u>1</u>
(2) Seriousness		
(a) Probability of Occurrence	<u>2</u>	<u>2</u>
Extent of Damage	<u>0</u>	<u>0</u>
(b) Hindrance to Enforcement	<u> </u>	<u> </u>
(3) Negligence	<u>3</u>	<u>3</u>
(4) Good Faith	<u>-6</u>	<u>-6</u>
Total Points	<u>0</u>	<u>0</u>
TOTAL ASSESSED FINE		\$ <u>0</u>

NARRATIVE:

(Brief explanation for any changes made in assignment of points and any additional information that was available after the proposed assessment.)

jbe

**WORKSHEET FOR FINAL ASSESSMENT OF PENALTIES
UTAH DIVISION OF OIL, GAS AND MINING**

COMPANY/MINE U.S. Fuel Company/Hiawatha Complex NOV #N91-39-1-4

PERMIT # ACT/007/011 VIOLATION 2 of 4

Assessment Date 08/19/91 Assessment Officer Tom Mitchell

Nature of Violation: Failure to maintain diversion ditches.

Date of Termination: 04/25/91

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Previous Violations	<u>1</u>	<u>1</u>
(2) Seriousness		
(a) Probability of Occurrence	<u>20</u>	<u>20</u>
Extent of Damage	<u>5</u>	<u>5</u>
(b) Hindrance to Enforcement	<u> </u>	<u> </u>
(3) Negligence	<u>10</u>	<u>10</u>
(4) Good Faith	<u>-0</u>	<u>-10</u>
Total Points	<u>36</u>	<u>26</u>
TOTAL ASSESSED FINE		<u>\$ 320.00</u>

NARRATIVE:

(Brief explanation for any changes made in assignment of points and any additional information that was available after the proposed assessment.)

Permittee exercised diligence in abating the violation.

jbe

**WORKSHEET FOR FINAL ASSESSMENT OF PENALTIES
UTAH DIVISION OF OIL, GAS AND MINING**

COMPANY/MINE U.S. Fuel Company/Hiawatha Complex NOV #N91-39-1-4

PERMIT # ACT/007/011 VIOLATION 3 of 4

Assessment Date 08/19/91 Assessment Officer Tom Mitchell

Nature of
Violation: Nonclogging dewatering devise adequately provided
and maintained.

Date of Termination: 03/15/91

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Previous Violations	<u>1</u>	<u>1</u>
(2) Seriousness		
(a) Probability of Occurrence	<u>2</u>	<u>2</u>
Extent of Damage	<u>0</u>	<u>0</u>
(b) Hindrance to Enforcement	<u> </u>	<u> </u>
(3) Negligence	<u>8</u>	<u>8</u>
(4) Good Faith	<u>-0</u>	<u>-5</u>
Total Points	<u>11</u>	<u>6</u>
TOTAL ASSESSED FINE		\$ <u>60.00</u>

NARRATIVE:

(Brief explanation for any changes made in assignment of points and any additional information that was available after the proposed assessment.)

Permittee exercised diligence in abating the violation.

jbe

**WORKSHEET FOR FINAL ASSESSMENT OF PENALTIES
UTAH DIVISION OF OIL, GAS AND MINING**

COMPANY/MINE U.S. Fuel Company/Hiawatha Complex NOV #N91-39-1-4

PERMIT # ACT/007/011 VIOLATION 4 of 4

Assessment Date 08/19/91 Assessment Officer Tom Mitchell

Nature of
Violation: Failure to have siltation structure.

Date of Termination: 05/21/91

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Previous Violations	<u>1</u>	<u>1</u>
(2) Seriousness		
(a) Probability of Occurrence	<u>10</u>	<u>10</u>
Extent of Damage	<u>0</u>	<u>0</u>
(b) Hindrance to Enforcement	<u> </u>	<u> </u>
(3) Negligence	<u>8</u>	<u>0</u>
(4) Good Faith	<u>-5</u>	<u>-5</u>
Total Points	<u>14</u>	<u>6</u>
TOTAL ASSESSED FINE		\$ <u>60.00</u>

NARRATIVE:

(Brief explanation for any changes made in assignment of points and any additional information that was available after the proposed assessment.)

There is no evidence of negligence.

jbe