



0058

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

Scott M. Matheson, Governor  
Temple A. Reynolds, Executive Director  
Clean B. Felght, Division Director

4241 State Office Building • Salt Lake City, UT 84114 • 801-533-5771

January 4, 1983

REGISTERED RETURN RECEIPT REQUESTED

POS 7075405

Mr. Dan Guy  
Beaver Creek Coal Company  
P.O. Box 411  
Price, Utah 84501

#8

RE: Finalized  
Assessment for  
State Violation  
No. N82-7-3-1  
ACT/007/016

Dear Mr. Guy:

The civil penalty for the Violation No. N82-7-3-1, 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 thirty days of your receipt of this letter. Additionally, you must have escrowed the assessed civil penalties with the Division within thirty days of receipt of the proposed assessment. 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 days of your receipt of this letter.

Thank you for your cooperation.

Sincerely,

RONALD W. DANIELS  
ACTING ASSESSMENT  
OFFICER

RWD/lm

cc: Barbara Roberts, Assistant Attorney General  
Joe Helfrich, DOGM  
Jodie Merriman, OSM, Albuquerque

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

NOV/CO No. N82-7-3-1

Location of Conference: Salt Lake City, Utah

Date of Conference: None Held - None requested

Company Name/Mine Name: Beaver Creek Coal Co./ Gordon Creek #2 ACT/007/016

Persons in Attendance

Title

_____	_____
_____	_____
_____	_____

Violation No.

Amount of Assessment  
As Revised

<u>1 of 1</u>	<u>\$ 800.00</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Approved: *EW Daniels*  
(Signature of Conference Officer)

Date: 1/5/83

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.

ASSESSMENT CONFERENCE REPORT  
(continued)

1. Notice of Violation/Cessation Order No. N82-7-3-1

Violation 1 of 1

(a) Nature of violation: Failure to pass runoff through a sediment control structure.

(b) Date of termination: \_\_\_\_\_

2. Conference Result	Proposed Assessment	Conference Assessment
(a) History/Prev. Vio.	<u>1</u>	<u>1</u>
(b) Seriousness		
(1) Probability of Occurrence	<u>18</u>	<u>18</u>
Extent of Damage	<u>16</u>	<u>16</u>
(2) Obstr. to Enforcement	<u>--</u>	<u>--</u>
(c) Negligence	<u>10</u>	<u>10</u>
(d) Good Faith	<u>--</u>	<u>--</u>
(e) Acreage	<u>--</u>	<u>--</u>
TOTAL	<u>45</u>	<u>45</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.)