



0029

STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

File
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

July 31, 1985

REGISTERED RETURN RECEIPT REQUESTED
P 402 457 695

Mr. Dan W. Guy
Beaver Creek Coal Company
P.O. Box 1378
Price, Utah 84501

Dear Mr. Guy:

RE: Finalized Assessment for State Violation No. N84-8-4-1,
ACT/007/016, Folder #7, Carbon County, Utah

The civil penalty for the violation No. N84-8-4-1 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,

Dianne R. Nielson
for Constance K. Lundberg
Assessment 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. N84-8-4-1

Location of Conference: Salt Lake City

Date of Conference: July 16, 1985

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

Persons in Attendance

Representing

Constance Lundberg
Dan Guy
Tom Wright

Assessment Conference Officer DOGM
Beaver Creek Coal Company
Division of Oil, Gas and Mining

<u>Violation No.</u>	<u>Amount of Assessment As Revised</u>
<u>N84-8-4-1</u>	<u>\$ 140.00</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
<u>TOTAL</u>	<u>\$ 140.00</u>

Approved: *Dianne R. Nelson* Date: July 30, 1985
(Signature of Conference Officer)
for Constance K. Lundberg

ASSESSMENT CONFERENCE REPORT
(continued)1. Notice of Violation/Cessation Order No. N84-8-4-1Permit # ACT/007/016Violation 1 of 1(a) Nature of violation: Failure to submit required information

2. Conference Result	<u>Proposed Assessment</u>	<u>Conference Assessment</u>
(a) History/Prev. Vio.	<u>8</u>	<u>8</u>
(b) Seriousness		
(1) Probability of Occurrence	<u> </u>	<u> </u>
Extent of Damage	<u> </u>	<u> </u>
(2) Obstr. to Enforcement	<u>5</u>	<u>5</u>
(c) Negligence	<u>5</u>	<u>5</u>
(d) Good Faith	<u>- 3</u>	<u>- 3</u>
TOTAL	<u>14</u>	<u>14</u>
	TOTAL ASSESSED FINE	<u>\$ 140</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.)

Information was clearly required. If extensions were required they should have been secured in writing. Company evidence is that they knew timely compliance would be difficult or impossible, but no extension was requested.
0013Q