

0019



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Mine file
#5

Michael O. Leavitt
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May 20, 1998

CERTIFIED RETURN RECEIPT REQUESTED
No. P 074 976 889

Vicky Bailey
Earthfax Engineering
7324 South Union Park Avenue
Midvale, Utah 84047

Re: Request for Assessment Conferences, Notices of Violation (NOV) N97-45-1-1 and N97-26-7-1, Horizon Mining, LLC, Horizon Coal Mine, ACT/007/020, Folder #5, Carbon County, Utah

Dear Ms. Bailey:

The above-noted violations had Informal Hearings (N97-45-1-1 held on November 19, 1997 and N97-26-7-1 held on November 14, 1997). Both of these violations were upheld and the subsequent findings were made (N97-45-1-1, findings issued on December 9, 1997 and N97-26-7-1, findings issued on November 24, 1997).

During the Informal Hearings, it was established that the violations had not been abated at the time of the hearing, and the Assessment Conference Officer declined to hold a discussion of the proposed assessment until abatement of the NOV had occurred.

Both of these violations have been terminated and I am offering you an opportunity to request a date for completion of the originally scheduled Assessment Conferences. To preserve your right to the Assessment Conference process, please contact Vicki Bailey (801) 538-5304 within 15 days of receipt of this letter to schedule a date and time for an Assessment Conference. Should you decline the conference, the proposed assessment of \$180 for N97-45-1-1 and \$600 for N97-26-7-1 must be paid to the Division within 30 days.

Sincerely,



Pamela Grubaugh-Littig
Assessment Officer

vb

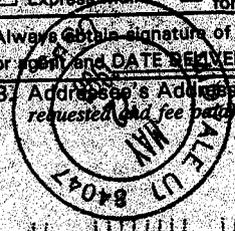
cc: L. Braxton
M. Wright
B. Davidson
B. Malencik, PFO

P:\GROUPS\MINES\WPAREDO.WPD

DOG M VB ACT/007/020 N97-26-7-1 & N97-45-1-1 FLDR #5

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. <input type="checkbox"/> Show to whom delivered, date, and addressee's address. (Extra charge)		2. <input type="checkbox"/> Restricted Delivery (Extra charge)	
3. Article Addressed to: VICKY BAILEY EARTHFAX ENGINEERING 7324 S UNION PK AVE MIDVALE UT 84047		4. Article Number P 074 976 889	
		Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise	
		Always Get the signature of addressee or agent and DATE RECEIVED.	
5. Signature - Address X		8. Addressee's Address (ONLY if requested and fee paid)	
6. Signature - Agent X <i>Richard Swelt</i>			
7. Date of Delivery 22 May 1998			



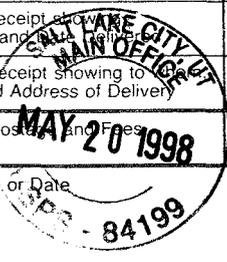
PS Form 3811, Mar. 1988 • U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

P 074 976 889

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
 NOT FOR INTERNATIONAL MAIL
 (See Reverse)

VICKY BAILEY EARTHFAX ENGINEERING Street and No. 7324 S UNION PK AVE P.O., State and ZIP Code MIDVALE UT 84047	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date	



PS Form 3800, June 1985

DOG M VB ACT/007/020 N97-26-7-1 & N97-45-1-1 FLDR #5