



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MININGNorman H. Bangerter
GovernorDee C. Hansen
Executive DirectorDianne R. Nielson, Ph.D.
Division Director355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340

September 19, 1989

CERTIFIED RETURN RECEIPT REQUESTED
P 075 063 200Mr. William Prince
North American Equities
c/o Holme, Roberts & Owen
50 South Main Street, Suite 500
Salt Lake City, Utah 84114

Dear Mr. Prince:

Re: Finalized Assessment for State Violation No. N89-17-1-2, #2 of 2, INA/007/021,
Folder #5, Carbon County, Utah

The civil penalty for the above-referenced violation has been finalized. Please note that no fine has been assessed. 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. 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 handwritten signature in cursive script, appearing to read 'Joseph C. Hubnick for'.

Barbara W. Roberts
Assessment Conference Officerjb
cc: John C. Kathmann, OSM, AFO
MN37/26

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

COMPANY/MINE North American Equities

NOV # N89-17-1-2

PERMIT # INA/007/021

VIOLATION 2 OF 2

Assessment Date 9-18-89

Assessment Officer Barbara W. Roberts

Nature of Violation: Failure to submit noxious weed control plan.

Date of Termination: 6-6-89

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Prev. Violations	<u>2</u>	<u>2</u>
(2) Seriousness		
(a) Probability of Occurrence	<u> </u>	<u> </u>
Extent of Damage	<u> </u>	<u> </u>
(b) Hindrance to Enforcement	<u>20</u>	<u>20</u>
(3) Negligence	<u>10</u>	<u>10</u>
(4) Good Faith	<u>-10</u>	<u>-20</u>
TOTAL	<u>22</u>	<u>12</u>
TOTAL ASSESSED FINE		\$ <u>- 0 -</u>

3. Narrative:

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

Evidence indicated that operator contacted Agriculture agent on day NOV was issued but, being a Friday, was unable to obtain information until Monday, June 5th. Plans were submitted on June 6th. Therefore, an additional 10 points awarded for rapid compliance of a difficult abatement. No penalty is required and none is assessed.

jb
MN34/26