



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Norman H. Bangerter
Governor

Dee C. Hansen
Executive Director

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Division Director

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3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340

April 17, 1990

CERTIFIED RETURN RECEIPT REQUESTED
P 074 978 663

Mr. William B. Prince
North American Equities
c/o Holme, Roberts and Owen
50 South Main Street, Suite 900
Salt Lake City, Utah 84114

Dear Mr. Prince:

Re: Finalized Assessment for State Violation No. N90-27-1-1, INA/007/021, 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 have escrowed 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,

Barbara W. Roberts
Assessment Conference Officer

jb

cc: John C. Kathmann, OSM, AFO

an equal opportunity employer

MNS7737

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

COMPANY/MINE North American Equities/Blazon

NOV # N90-27-1-1

PERMIT # INA/007/021

VIOLATION 1 OF 1

Assessment Date 4/10/90

Assessment Officer Barbara W. Roberts

Nature of Violation: Failure to conduct surface water monitoring

Date of Termination: 1/23/90

| | <u>Proposed Assessment</u> | <u>Final Assessment</u> |
|-------------------------------|--------------------------------|-----------------------------|
| (1) History/Prev. Violations | <u>0</u> | <u>0</u> |
| (2) Seriousness | | |
| (a) Probability of Occurrence | _____ | _____ |
| Extent of Damage | _____ | _____ |
| (b) Hindrance to Enforcement | <u>15</u> | <u>15</u> |
| (3) Negligence | <u>25</u> | <u>15</u> |
| (4) Good Faith | <u>-</u> | <u>-</u> |
| TOTAL | <u>40</u> | <u>30</u> |
| TOTAL ASSESSED FINE | | <u>\$400.00</u> |

3. Narrative:

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

Negligence reduced because, although operator was aware of requirement, there was no evidence of knowing and intentional conduct.

jb
MN34/41