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State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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Salt Lake City, Utah 84180-1203
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March 1, 1991

CERTIFIED RETURN RECEIPT REQUESTED
P 074 979 022

Mr. Adam S. Affleck
North American Equities, Ltd.
C/O Holme, Roberts & Owen
50 South Main, Suite 900
Salt Lake City, Utah 84144

Dear Mr. Affleck:

Re: Finalized Assessment for State Violation #N90-17-6-1, North American Equities, Ltd., Blazon #1 Mine, 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 escrow 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,

A handwritten signature in cursive script, appearing to read 'Alan S. Bachman'.

Alan S. Bachman
Assessment Conference Officer

jbe
Enclosure
cc: John C. Kathmann, OSM, AFO
A:\FAL

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

COMPANY/MINE North American Equities/Blazon #1 NOV #N90-17-6-1

PERMIT # INA/007/021 VIOLATION 1 of 1

Assessment Date 03/01/91 Assessment Officer Alan S. Bachman

Nature of
Violation: Off-Site sediment loading

Date of Termination: 09/21/90 - Terminated by Division Notice.

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Previous Violations	<u>6</u>	<u>6</u>
(2) Seriousness		
(a) Probability of Occurrence	<u>20</u>	<u>20</u>
Extent of Damage	<u>8</u>	<u>3</u>
(b) Hindrance to Enforcement	<u> </u>	<u> </u>
(3) Negligence	<u> </u>	<u> </u>
(4) Good Faith	<u>-0</u>	<u>-10</u>
Total Points	<u>34</u>	<u>19</u>
TOTAL ASSESSED FINE		<u>\$ 190.00</u>

NARRATIVE:

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

Consultant came out diligently to resolve situation. Damage was minimal as indicated at the assessment conference. There was normal compliance in a difficult abatement situation. Good faith points were not awarded in the proposed assessment, apparently, on the basis that this was an "after the fact" violation. Nevertheless, the actions of North American Equities to obtain the consultant and take care of the situation to avoid a continuation of the problem, should be taken into account.