



0020

STATE OF UTAH
NATURAL RESOURCES & ENERGY
Oil, Gas & Mining

ACT/007/022

Scott M. Matheson, Governor
Temple A. Reynolds, Executive Director
Cleon B. Feight, Division Director

4241 State Office Building • Salt Lake City, UT 84114 • 801-533-5771

February 22, 1982

#0367269

REGISTERED - RETURN RECEIPT REQUESTED

Mr. David Chenoweth
Arco Coal Company
555 Seventeenth Street
Box 5300
Denver, Colorado 80217

RE: Assessment Conference Report
and Assessment of Civil Penalty
Violation No. N81-4-2-1

Dear Mr. Chenoweth:

Enclosed please find the Division's Assessment Conference Report concerning violations of the Utah Coal Mining and Reclamation Act, U.C.A., 40-10-1 et seq, at the C.V. Spur Prep. Plant, Carbon County, Utah. The civil penalty of \$0.00 is hereby assessed by the Board of Oil, Gas and Mining unless you apply for review and public hearing before the Board within 30 days of receipt of this letter and the Assessment Conference Report.

Please contact the Division if you have any questions or informational needs.

Sincerely,

RONALD W. DANIELS
ACTING ASSESSMENT OFFICER

RWD/te

cc: Assessment Officer
Field Supervisor

Enclosure

ASSESSMENT CONFERENCE REPORT
Utah Division of Oil, Gas & Mining
1588 West North Temple
Salt Lake City, Utah

NOV/CO No. N81-4-2-1

Location of Conference: Salt Lake City, Utah

Date of Conference: January 15, 1982

Company Name/Mine Name: Beaver Creek Coal Co. (Arco Coal Co.)/C.V. Spur Prep. Plant

<u>Persons in Attendance</u>	<u>Title</u>
<u>Greg Squire, Dave Chenoweth</u>	<u>Beaver Creek Coal Co./Arco Coal Co.</u>
<u>Dave Meyer</u>	<u>Beaver Creek Coal Co./Arco Coal Co.</u>
<u>Dave Lof, Tom Portle, Ron Daniels</u>	<u>Division of Oil, Gas and Mining</u>

<u>Violation No.</u>	<u>Amount of Assessment As Revised</u>
<u>1 of 1</u>	<u>\$ 0.00</u>
<u> </u>	<u> </u>

Approved: *Ronald W. Daniel* Date: 2/23/82
(Signature of Conference Officer)

This assessment has been set as a result of an informal conference held by the assessment officer. Should the Company desire a review in a more formal proceeding before the Board of Oil, Gas & Mining, a hearing can be requested within 30 days of receipt of this report.

ASSESSMENT CONFERENCE REPORT
(continued)

1. Notice of Violation/Cessation Order No. N81-4-2-1

Violation 1 of 1

(a) Nature of violation: Failure to maintain sediment control devices.

(b) Date of termination: September 20, 1981

2. Conference Result	Proposed Assessment	Conference Assessment
(a) History/Prev. Vio.	-	-
(b) Seriousness		
(1) (Probability of Occurrence)	12	10
Extent of Damage	4	2
(2) Obstr. to Enforcement	-	-
(c) Negligence	8	8
(d) Good Faith	-	-20
(e) Acreage	-	-
TOTAL	24	0

3. Narrative:

(Brief explanation of reasons for any changes made in assignment of points and any additional information that was presented at the conference.)

Abatement work qualifies for good faith points. Probability and extent of damage were shown to be less than originally estimated.

PS Form 3811, Jan. 1976

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(CONSULT POSTMASTER FOR FEES)

2. **ARTICLE ADDRESSED TO:** David Chenoweth
 Arco Coal Company
 555-17th St., Box 5300
 Denver, Colorado 80217

3. **ARTICLE DESCRIPTION:**

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	0367269	

(Always obtain signature of addressee or agent)

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A.C.R.#N81-4-2-1/2-22-82/ACT-007-022

PS Form 3800, Apr. 1976 A.C.R.#N81-4-2-1/2-22-82/ACT/007/007

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 STREET AND NO.
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 P.O., STATE AND ZIP CODE
 Denver, Colorado 80217

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State of Utah
 Natural Resources & Energy
 Oil Gas & Mining
 424 State Office Building
 Salt Lake City Utah 84114

Penalty for Private Use to Avoid Payment of Postage \$500

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 (Street or P.O. Box)
 (Name of Sender)



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 - If you want a return receipt, write the recipient number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed strip. If space permits, otherwise, affix to back of article. Endorse front of article RETURN RECEIPT REQUESTED adjacent to the number.
 - If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse RESTRICTED DELIVERY on the front of the article.
 - Extra fees for the services requested in the appropriate space on the front of this receipt. If return receipt is requested, check the applicable blocks on Item 1 of Form 3811.
 - Secure this receipt and present it if you make any claim.