

0009



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

File

Norman H. Bangarter
Governor
Dee C. Hansen
Executive Director
Dianne R. Nielson, Ph.D.
Division Director

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

April 28, 1992

CERTIFIED RETURN RECEIPT REQUESTED
P 074 979 220

Mr. Mike Glasson
Andalex Resources, Inc.
P.O. Box 902
Price, Utah 84501

Dear Mr. Glasson:

Re: Finalized Assessment for State Violation #N92-32-1-2,
Andalex Resources, Inc., Wildcat Loadout, ACT/007/033,
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 that reads "Ronald W. Daniels".
Ronald W. Daniels
Assessment Conference Officer

jbe

Enclosure

cc: Bernie Freeman, OSM, AFO

an equal opportunity employer

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

COMPANY/MINE Andalex Resources/Wildcat Loadout

NOV #N92-32-1-2

PERMIT # ACT/007/033

VIOLATION 1 of 2

Assessment Date 04/28/92

Assessment Officer Ronald W. Daniels

Nature of Violation:

Failure to comply with the terms and conditions of the approved permit in that, acid and toxic forming-potential analyses were not performed.

Date of Termination: 03/10/92

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Previous Violations	<u>1</u>	<u>1</u>
(2) Seriousness		
(a) Probability of Occurrence	—	—
Extent of Damage	—	—
(b) Hindrance to Enforcement	<u>12</u>	<u>12</u>
(3) Negligence	<u>20</u>	<u>20</u>
(4) Good Faith	<u>-0</u>	<u>-0</u>
Total Points	<u>33</u>	<u>33</u>
TOTAL ASSESSED FINE		<u>\$ 460.00</u>

NARRATIVE:

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

No additional information was submitted which would have changed the initial assessment.

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

COMPANY/MINE Andalex Resources/Wildcat Loadout

NOV #N92-32-1-2

PERMIT # ACT/007/033

VIOLATION 2 of 2

Assessment Date 04/28/92

Assessment Officer Ronald W. Daniels

Nature of Violation:

Failure to conduct erosion pin study which would quantify erosion in the permit area.

Date of Termination: 03/10/92

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Previous Violations	<u>1</u>	<u>1</u>
(2) Seriousness		
(a) Probability of Occurrence	—	—
Extent of Damage	—	—
(b) Hindrance to Enforcement	<u>12</u>	<u>12</u>
(3) Negligence	<u>20</u>	<u>20</u>
(4) Good Faith	<u>-0</u>	<u>-0</u>
Total Points	<u>33</u>	<u>33</u>
TOTAL ASSESSED FINE		<u>\$ 460.00</u>

NARRATIVE:

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

No additional information was submitted which would change the initial assessment. This reassessment is subject to vacation by the Division Director as a result of a hearing on the fact of the violation.