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NATURAL RESOURCES

STATE OF UTAH

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF OIL, GAS, AND MINING

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June 17, 1981

#4791145

CERTIFIED - RETURN RECEIPT REQUESTED

Ms. Catherine V. Chachas
Northwest Carbon Corporation
P.O. Box 1526
Salt Lake City, Utah 84110

CEP/OIS/002

RE: Proposed Assessment for
State Violation No. N81-1-3-4

Dear Ms. Chachas:

Enclosed you will find the proposed civil penalty assessment for this violation. The violation was cited by Division Inspector Joseph C. Helfrich on May 19, 1981.

The Board of Oil, Gas and Mining has empowered me to act as Assessment Officer and to conduct informal conferences on violations and assessments. This assessment has been computed by me using Rule UMC/SMC 845.2 et. seq.

You may or may not request that the Division establish an assessment conference at this time. If no conference is requested by you within 30 days of your receipt of this letter the violation will be reassessed considering available facts and you will be required to pay the civil penalty as reassessed.

Should you decide to request an assessment conference you must do so in writing within 30 days of your receipt of this letter. Please specify in your request what the nature of your contest to the violation will include. For your ease in responding I have classified those contests as follows:

1. A contest of the amount of the assessment and not the fact of the violation(s) having occurred.
2. A contest of the facts of whether the violation(s) occurred.

Ms. Catherine V. Chachas

June 17, 1981

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This classification has been made to enable the Division time to arrange for a court reporter to establish a record of the proceedings in contests of the facts of a violation.

My decision resulting from the assessment conference may be appealed to the Board in a more formal proceeding.

Sincerely,

A handwritten signature in cursive script that reads "Ronald W. Daniels".

RONALD W. DANIELS
ACTING ASSESSMENT OFFICER

RWD/te

ASSESSMENT WORKSHEET

NOV# N81-1-3-4PERMIT# CEP/015/002Name of Company Northwest Carbon CorporationViolation # 1 of 4 POINTS

1. History of previous violations	-
2. Seriousness (either A or B)	
A. (1) Probability of occurrence	<u>17</u>
(2) Extent of potential or actual damage	<u>4</u>
B. Obstruction to enforcement	<u>-</u>
Total Seriousness	<u>21</u>
3. Negligence	<u>8</u>
4. Good Faith (Will be considered after complete information is received)	<u>-</u>
5. Acreage	<u>-</u>
TOTAL POINTS	<u>29</u>
ASSESSMENT	<u>\$ 380.00</u>

Violation # 2 of 4 POINTS

1. History of previous violations	-
2. Seriousness (either A or B)	
A. (1) Probability of occurrence	<u>7</u>
(2) Extent of potential or actual damage	<u>4</u>
B. Obstruction to enforcement	<u>-</u>
Total Seriousness	<u>11</u>
3. Negligence	<u>8</u>
4. Good Faith (Will be considered after complete information is received)	<u>-</u>
5. Acreage	<u>-</u>
TOTAL POINTS	<u>19</u>
ASSESSMENT	<u>\$ 190.00</u>

ASSESSMENT WORKSHEET

NOV# N81-1-3-4PERMIT# CEP/015/002Name of Company Northwest Carbon CorporationViolation # 3 of 4 POINTS

1. History of previous violations	<u>-</u>
2. Seriousness (either A or B)	
A. (1) Probability of occurrence	<u>18</u>
(2) Extent of potential or actual damage	<u>4</u>
B. Obstruction to enforcement	<u>-</u>
Total Seriousness	<u>22</u>
3. Negligence	<u>8</u>
4. Good Faith (Will be considered after complete information is received)	<u>-</u>
5. Acreage	<u>-</u>
	TOTAL POINTS
	<u>30</u>
	ASSESSMENT
	<u>\$ 400.00</u>

Violation # 4 of 4 POINTS

1. History of previous violations	<u>-</u>
2. Seriousness (either A or B)	
A. (1) Probability of occurrence	<u>7</u>
(2) Extent of potential or actual damage	<u>9</u>
B. Obstruction to enforcement	<u>-</u>
Total Seriousness	<u>16</u>
3. Negligence	<u>8</u>
4. Good Faith (Will be considered after complete information is received)	<u>-</u>
5. Acreage	<u>-</u>
	TOTAL POINTS
	<u>24</u>
	ASSESSMENT
	<u>\$ 280.00</u>

ASSESSMENT EXPLANATION

NOV# N81-1-3-4

PERMIT# CEP/015/002

Name of Company Northwest Carbon Corporation

Violation # 1 of 4

History of previous violations: None

Seriousness: (either A or B)

A. (1) Probability of occurrence:

Failure to limit vehicular traffic to established roads is deemed to have resulted in the occurrence of the events of soil contamination, soil compaction, and loss of vegetation. 17 points.

(2) Extent of actual or potential damage:

B. Obstruction to enforcement:

Negligence: ORDINARY NEGLIGENCE

8 points.

Good Faith: WILL BE CONSIDERED AFTER COMPLETE INFORMATION IS RECEIVED

Acreage:

ASSESSMENT EXPLANATION

NOV# N81-1-3-4

PERMIT# CEP/015/002

Name of Company Northwest Carbon Corporation

Violation # 2 of 4

History of previous violations: None

Seriousness: (either A or B)

A. (1) Probability of occurrence:

Failure to return all excavations or flat areas to approximate original contour promptly after the facilities are no longer needed was deemed unlikely to result in erosion. 7 points.

(2) Extent of actual or potential damage:

Damage would remain within the permit area. 4 points.

B. Obstruction to enforcement:

Negligence: ORDINARY NEGLIGENCE

8 points.

Good Faith: WILL BE CONSIDERED AFTER COMPLETE INFORMATION IS RECEIVED

ASSESSMENT EXPLANATION

NOV# N81-1-3-4

PERMIT# CEP/015/002

Name of Company Northwest Carbon Corporation

Violation # 3 of 4

History of previous violations: None

Seriousness: (either A or B)

A. (1) Probability of occurrence:

Failure to remove, store and redistribute topsoil is deemed to have resulted in soil loss, soil contamination, soil compaction, and a reduction in the soil's potential to support vegetation. 18 points.

(2) Extent of actual or potential damage:

Damage remains within the area of exploration activity. 4 points.

B. Obstruction to enforcement:

Negligence: ORDINARY NEGLIGENCE

8 points.

Good Faith: WILL BE CONSIDERED AFTER COMPLETE INFORMATION IS RECEIVED

ASSESSMENT EXPLANATION

NOV# N81-1-3-4

PERMIT# CEP/015/002

Name of Company Northwest Carbon Corporation

Violation # 4 of 4

History of previous violations: None

Seriousness: (either A or B)

A. (1) Probability of occurrence:

Failure to implement sediment control measures is deemed unlikely to result in the events of erosion and contributing sediment to streamflow happening. 7 points.

(2) Extent of actual or potential damage:

Damage would extend off site, if it occurred. 9 points.

B. Obstruction to enforcement:

Negligence: ORDINARY NEGLIGENCE

8 points.

Good Faith: WILL BE CONSIDERED AFTER COMPLETE INFORMATION IS RECEIVED

Acreage: