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NATURAL RESOURCES

STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS, AND MINING  
1588 West North Temple  
Salt Lake City, Utah 84116  
(801) 533-5771

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Director

August 25, 1981

#0867498

REGISTERED - RETURN RECEIPT REQUESTED

CEP/015/002

Mr. Steve Dougherty  
Northwest Carbon Corporation  
P.O. Box 1526  
Salt Lake City, Utah 84110

RE: Assessment Conference Report  
and Assessment of Civil Penalty  
Violation No. #N81-1-3-4

Dear Mr. Dougherty:

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 Trail Canyon exploration site, Emery County, Utah. The civil penalty of \$340.00 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.

Should you choose not to seek a public hearing concerning this matter, the civil assessment must be paid to the Division 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: Inspector  
Assessment Officer

Enclosure

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

NOV/CO No. N81-1-3-4

Location of Conference: Salt Lake City, Utah

Date of Conference: July 28, 1981

Company Name/Mine Name: Northwest Carbon Corporation

<u>Persons in Attendance</u>	<u>Title</u>
<u>Steve Dougherty, Wayne Hall, Kenneth Buell</u>	<u>Northwest Carbon Corporation</u>
<u>Ronald W. Daniels, Joseph C. Helfrich</u>	<u>Division of Oil, Gas &amp; Mining</u>

<u>Violation No.</u>	<u>Amount of Assessment As Revised</u>
<u>1 of 4</u>	<u>\$ 80.00</u>
<u>2 of 4</u>	<u>.00</u>
<u>3 of 4</u>	<u>120.00</u>
<u>4 of 4</u>	<u>140.00</u>
<u>TOTAL</u>	<u>340.00</u>

Approved: *Ronald W. Daniels*  
 (Signature of Conference Officer)

Date: 8/25/81

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. N81-1-3-4

Violation 1 of 4

(a) Nature of violation: Failure to limit vehicular traffic to established roads.

(b) Date of termination: June 15, 1981

2. Conference Result	<u>Proposed Assessment</u>	<u>Conference Assessment</u>
(a) History/Prev. Vio.	_____	_____
(b) Seriousness		
(1) Probability of Occurrence	17	15
Extent of Damage	4	1
(2) Obstr. to Enforcement	-	-
(c) Negligence	8	2
(d) Good Faith	-	-10
(e) Acreage	-	-
<b>TOTAL</b>	29	8

3. Narrative:

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

Damage was demonstrated to be relatively small in area. Negligence is reduced due to considered judgement being used by the operator in using more area for operations. Good faith was demonstrated.

**ASSESSMENT CONFERENCE REPORT  
(continued)**

1. Notice of Violation/Cessation Order No. N81-1-3-4

Violation 2 of 4

(a) Nature of violation: Failure to promptly regrade.

(b) Date of termination: June 15, 1981

2. Conference Result	<u>Proposed Assessment</u>	<u>Conference Assessment</u>
(a) History/Prev. Vio.	-	-
(b) Seriousness		
(1) Probability of Occurrence	7	5
Extent of Damage	4	3
(2) Obstr. to Enforcement	-	-
(c) Negligence	8	2
(d) Good Faith	-	-10
(e) Acreage	-	-
TOTAL	19	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.)**

The operator made an informed judgement in deciding to delay regrading. Good faith was demonstrated.

ASSESSMENT CONFERENCE REPORT  
(continued)

1. Notice of Violation/Cessation Order No. N81-1-3-4

Violation 3 of 4

(a) Nature of violation: Failure to remove, store and redistribute topsoil.

(b) Date of termination: June 15, 1981

2. Conference Result	<u>Proposed Assessment</u>	<u>Conference Assessment</u>
(a) History/Prev. Vio.	-	-
(b) Seriousness		
(1) Probability of Occurrence	18	16
Extent of Damage	4	2
(2) Obstr. to Enforcement	-	-
(c) Negligence	8	4
(d) Good Faith	-	-10
(e) Acreage	-	-
TOTAL	30	12

3. Narrative:

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

Damage was demonstrated to be small due to a dearth of topsoil.

**ASSESSMENT CONFERENCE REPORT  
(continued)**

1. Notice of Violation/Cessation Order No. N81-1-3-4

Violation 4 of 4

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

(b) Date of termination: June 15, 1981

2. Conference Result	<u>Proposed Assessment</u>	<u>Conference Assessment</u>
(a) History/Prev. Vio.	-	-
(b) Seriousness		
(1) Probability of Occurrence	7	7
Extent of Damage	9	9
(2) Obstr. to Enforcement	-	-
(c) Negligence	8	8
(d) Good Faith	-	-10
(e) Acreage	-	-
TOTAL	24	14

3. Narrative:

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