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State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Norman H. Bangertter
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

March 5, 1991

Sic

Mr. Alan Noble, Engineering Manager
Western States Minerals Corporation
4975 Van Gordon Street
Wheat Ridge, Colorado 80033

Dear Mr. Noble:

Re: N90-20-5-1, INA/015/002, J. B. King Mine, Western States Minerals Corporation,
Folder No. 5, Emery County, Utah

Pursuant to requests by Frank Filas to members of my staff, I have reviewed background information relating to the above violation. In doing so, it is evident that Western States Minerals Corporation did not have the requisite evidence of liability insurance on file at its office or the Division of Oil, Gas and Mining's (DOGM) office at the time of the inspection. On this basis, the Division was required to take the enforcement action resulting in NOV N90-20-5-1. I am upholding the fact of violation for this NOV.

Subsequent correspondence between Western States Minerals and DOGM indicates that Western States Minerals did not wish to participate in an assessment conference. On this basis, I am informing you that the penalties assessed by the Division are final and past due. Failure to pay this penalty may result in an Order to Show Cause.

Should Western States Minerals wish to appeal the fact of violation or the penalty before the Board of Oil, Gas and Mining, this may be done by filing a Request for Agency Action with the Board of Oil, Gas and Mining and placing the assessed penalty plus interest in an escrow account with the Division. Funds must be escrowed before the hearing is scheduled to commence. Should you need more information concerning filing of an appeal with the Board, please contact Janice L. Brown regarding procedures.

Best regards,

A handwritten signature in cursive script, appearing to read 'Dianne'.
Dianne R. Nielson
Director

vb
cc: L. Braxton
P. Grubaugh-Littig
V. Bailey
MI117/19