

File



0003

STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

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

355 W. North Temple • 3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340

November 13, 1985

CERTIFIED RETURN RECEIPT REQUESTED
P 001 861 929

Mr. John Rains
CalMat Company
PO Box 947
Colton, California 92324

Dear Mr. Rains:

RE: Finalized Assessment for State Violation No.'s N85-2-1-1, N85-2-4-2 INA/015/007, Folder # 8, Emery 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 which were not available on the date of the proposed assessment, due to the length of the abatement period.

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 have escrowed the assessed civil penalty with the Division within a maximum of 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 and mail % Jan Brown at the above address.

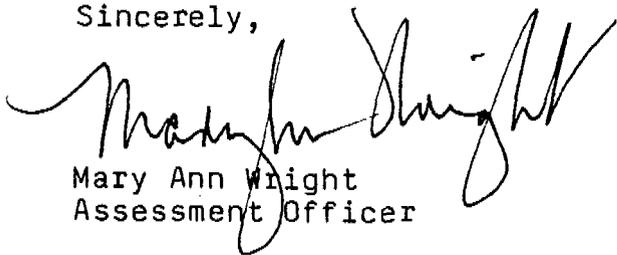
An identical letter to this one was sent to Mr. Dave Spillman on October 24, 1985. It has since come to our attention that it was

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Mr. John Rains
INA/015/007
November 12, 1985

improperly sent. Therefore the assessments and this letter have been redated and the time periods as stated in this letter will begin with receipt.

Thank you for your cooperation.

Sincerely,



Mary Ann Wright
Assessment Officer

jmc
cc: Donna Griffin, OSM Albuquerque Field Office
B. Roberts, Attorney Generals Office
9099Q

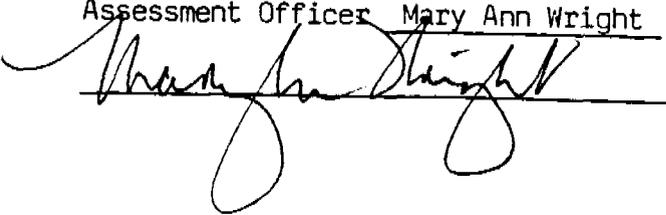
WORKSHEET FOR FINAL ASSESSMENT OF PENALTIES
 UTAH DIVISION OF OIL, GAS AND MINING

COMPANY/MINE Cal. Portland/Hidden Valley NOV # N85-2-1-1
 PERMIT # INA/015/007 VIOLATION 1 OF 1

Nature of violation: Hindrance NOV lack of baseline hydrologic data.

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Prev. Vio.	<u>0</u>	<u>0</u>
(2) Seriousness		
(a) Probability of Occurrence	<u> </u>	<u> </u>
Extent of Damage	<u> </u>	<u> </u>
(b) Hindrance to Enforcement	<u>16</u>	<u>16</u>
(3) Negligence	<u>13</u>	<u>13</u>
(4) Good Faith	<u>-1</u>	<u>-1</u>
 TOTAL	<u>28</u>	<u>28</u>
	TOTAL ASSESSED FINE	<u>\$ 360</u>

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

Assessment Date 11-13-85 Assessment Officer Mary Ann Wright


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

COMPANY/MINE Cal. Portland/Hidden Valley NOV # N85-2-4-2
 PERMIT # INA/015/007 VIOLATION 1 OF 2

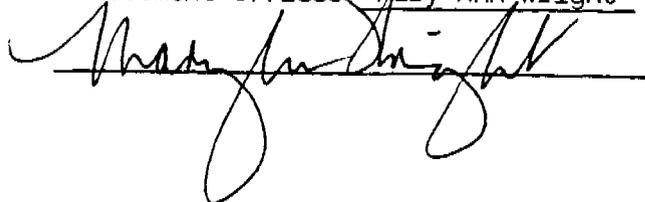
Nature of violation: Nonmaintenance of topsoil stockpile protection measures.

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Prev. Vio.	<u>0</u>	<u>0</u>
(2) Seriousness		
(a) Probability of Occurrence	<u>11</u>	<u>11</u>
Extent of Damage	<u>3</u>	<u>3</u>
(b) Hindrance to Enforcement	<u> </u>	<u> </u>
(3) Negligence	<u>7</u>	<u>7</u>
(4) Good Faith	<u>-1</u>	<u>-1</u>
TOTAL	<u>20</u>	<u>20</u>
	TOTAL ASSESSED FINE	\$ <u>200</u>

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

Assessment Officer Mary Ann Wright

Assessment Date 11-13-85



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

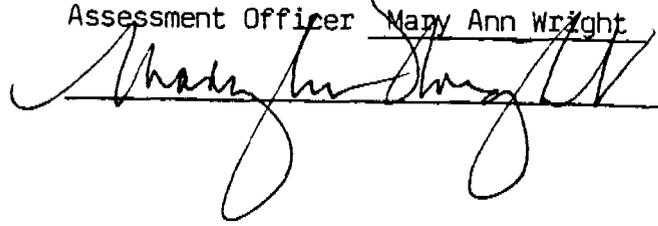
COMPANY/MINE Cal. Portland/Hidden Valley NOV # N85-2-4-2

PERMIT # INA/015/007 VIOLATION 2 OF 2

Nature of violation: Loss of stockpiled topsoil and potential entry into stream.

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Prev. Vio.	<u>0</u>	<u>0</u>
(2) Seriousness		
(a) Probability of Occurrence	<u>6</u>	<u>6</u>
Extent of Damage	<u>2</u>	<u>2</u>
(b) Hindrance to Enforcement	<u> </u>	<u> </u>
(3) Negligence	<u>7</u>	<u>7</u>
(4) Good Faith	<u>-1</u>	<u>-1</u>
TOTAL	<u>14</u>	<u>14</u>
	TOTAL ASSESSED FINE	<u>\$ 140</u>

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

Assessment Officer Mary Ann Wright


Assessment Date 11/13/85