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Executive Director,
NATURAL RESOURCES

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES

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CLEON B. FEIGHT
Director

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

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C. RAY JUVELIN
THADIS W. BOX
MAXILIAN A. FARBMAN
EDWARD T. BECK
E. STEELE McINTYRE

December 16, 1980

REGISTERED RETURN RECEIPT REQUESTED

Mr. Dan Hanna
Trail Mountain Coal Company
P. O. Box 370
Orangeville, Utah 84537

RE: Assessment Conference
Report and Assessment of
Civil Penalty, Violation
No. N80-1-9-1 & N80-1-10-1

Dear Mr. Hanna:

Enclosed please find the Division's Assessment Conference Report concerning violations of the Utah Coal Mining and Reclamation Act, UCA, 40-10-1, et seq., at the Trail Mountain Mine, Emery County, Utah. The civil penalty of \$280.00 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

cc: Inspector
Assessment Officer

Enclosure

RWD/btm

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

NOV/88 No. N80-1-9-1

Location of Conference: Salt Lake City, Utah

Date of Conference: December 4, 1980

Company Name/Mine Name: Fetterolf Group/Trail Mountain Mine--ACT/015/009

<u>Persons in Attendance</u>	<u>Title</u>
Dan Hanna	Representative of Tom Rice
<u>Joe Helfrich</u>	<u>Reclamation Soils Specialist</u>
Tom Portle	Reclamation Officer
<u>Sandy Pruitt</u>	<u>Reclamation Officer</u>
<u>Ron Daniels</u>	<u>Acting Assessment Officer</u>

<u>Violation No.</u>	<u>Amount of Assessment As Revised</u>
<u>1 of 1</u>	\$ <u>280.00</u>
<u> </u>	<u> </u>
<u>Total Penalty</u>	\$ <u>280.00</u>

Approved: *Ronald W. Daniel* Date: 12/16/80
(Signature of Conference Officer)

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. N80-1-9-1
 Violation 1 of 1
 (a) Nature of violation: Failure to Control Surface Runoff
 (b) Date of termination: November 5, 1980

2. Conference Result	<u>Proposed Assessment</u>	<u>Conference Assessment</u>
(a) History/Prev. Vio.	<u>0</u>	<u>0</u>
(b) Seriousness		
(1) Probability of Occurrence	<u>10</u>	<u>10</u>
Extent of Damage	<u>8</u>	<u>8</u>
(2) Obstr. to Enforcement	<u>--</u>	<u>--</u>
(c) Negligence	<u>7</u>	<u>7</u>
(d) Good Faith	<u>0</u>	<u>-2</u>
(e) Acreage	<u>1</u>	<u>1</u>
TOTAL	<u>26</u>	<u>24</u>

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 exhibited good faith in achieving compliance.

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

NOV/CO No. N80-1-10-1

Location of Conference: Salt Lake City, Utah

Date of Conference: December 4, 1980

Company Name/Mine Name: Fetterolf Group/Trail Mountain Mine--ACT/015/009

<u>Persons in Attendance</u>	<u>Title</u>
Dan Hanna	Representative of Tom Rice
<u>Joe Helfrich</u>	<u>Reclamation Soils Specialist</u>
Tom Portle	Reclamation Officer
<u>Sandy Pruitt</u>	<u>Reclamation Officer</u>
Denise Dragoo	Special Assistant Attorney General
<u>Ron Daniels</u>	<u>Acting Assessment Officer</u>

<u>Violation No.</u>	<u>Amount of Assessment As Revised</u>
<u>1 of 1</u>	<u>\$ Vacated</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Approved: *Ron Daniels* Date: 12/16/80
(Signature of Conference Officer)

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. N80-1-10-1

Violation 1 of 1

(a) Nature of violation: Failure to Abate Previously issued Violation

(b) Date of ~~Termination~~ ^{vacation:} December 15, 1980

2. Conference Result	<u>Proposed Assessment</u>	<u>Conference Assessment</u>
(a) History/Prev. Vio.	--	--
(b) Seriousness		
(1) Probability of Occurrence	--	--
Extent of Damage	--	--
(2) Obstr. to Enforcement	--	--
(c) Negligence	--	--
(d) Good Faith	--	--
(e) Acreage	--	--
TOTAL	<u>\$750.00</u>	<u>Vacated</u>

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 demonstrated that he previously notified the Division of his lack of capability to abate and that he needed additional time to abate the violation.

FOI 017 483

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space reverse.

1. The following service is requested (check one.)
 Show to whom and date delivered.
 Show to whom, date and address of delivery.
 RESTRICTED DELIVERY
 Show to whom and date delivered.
 RESTRICTED DELIVERY.
 Show to whom, date, and address of delivery.

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
 Dan Hanna - Trail Mtn. BTM
 P.O. Box 370
 Orangetville, UT 84537 BTM

3. ARTICLE DESCRIPTION:
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 5777463

(Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE Addressee Authorized agent

4. DATE OF DELIVERY: 12-19-80 POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

SENT TO: Dan Hanna - Trail Mtn.
 STREET AND NO.: P.O. Box 370
 P.O., STATE AND ZIP CODE: Orangetville, UT 84537

POSTAGE \$

CONSULT POSTMASTER FOR FEES	CERTIFIED FEE	\$
	SPECIAL DELIVERY	\$
	RESTRICTED DELIVERY	\$
OPTIONAL SERVICES	SHOW TO WHOM AND DATE DELIVERED	\$
	SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY	\$
	SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY	\$
	SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY	\$
TOTAL POSTAGE AND FEES		\$
POSTMARK OR DATE		

12-16-80

PS Form 3800, Apr. 1976 A07/015/009

GPO : 1979-288-848

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 • Complete items 1, 2, and 3 on the reverse.
 • Attach to front of article if space permits, otherwise affix to back of article.
 • Endorse article "Return Receipt Requested" adjacent to number.

RETURN TO

State of Utah
 Department of Natural Resources
 Division of Oil, Gas, & Mining
 1588 West North Temple
 Salt Lake City, Utah 84114

(Name of Sender)

(Street or P.O. Box)

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE \$300

U.S. MAIL

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE.
 UNPAID MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)

If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, leaving the receipt attached, and present the article at a post office service window or to your mail carrier. (no extra charge)

If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article. date, detach and retain the receipt, and mail the article.

If you want a return receipt, write the certified-mail number and your name and address on a return receipt, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article RETURN RECEIPT REQUESTED adjacent to the number.

If you want delivery restricted to the addressee, or to an authorized agent of the addressee, check the RESTRICTED DELIVERY on the front of the article.

Additional fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in Item 1 of Form 3811.

Present this receipt and present it if you make inquiry.

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