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M E M O R A N D U M
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TO: The Board of Oil, Gas and Mining
FROM: Joseph C. Helfrich, Reclamation Soils Specialist
SUBJECT: Proposed Assessment
Trail Mountain Mine
ACT/015/009
Emery County, Utah
DATE: October 24, 1980

The following assessment has been proposed for your review:

Violation #	History	POO	Serious- ness EOD	Negli- gence	Good- Faith	TOTAL	Civil Penalty
#1-MC 717.14(e)	8	12	12	12	0	44	760
#2-MC 717.17	8	15	7	30	0	60	1,380
#3-MC 717.17(a)	8	12	12	30	0	62	1,540
#4-MC 717.17 (j)(1)	8	10	12	12	0	42	680
#5-MC 717.17(j)	8	12	12	30	0	62	1,540
#6-MC 717.11	8	15	0	30	0	53	1,120

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#7-MC 717.17 (B)(1)(v)	8	15	0	30	0	53	1,120
#8-MC 717.20(b)	8	12	8	30	0	58	1,300
						TOTAL	9,440

*POO - Probability of Occurrence

*EOD - Extent of Damage

*No points were awarded for Acreage of Disturbed Area as the surface acreage of disturbed area of the Trail Mountain Mine is approximately 7 acres.

Thank you for your consideration.

JCH/te

Civil Penalties Assessed for Failure to Abate Violations

<u>Violation Number</u>	<u>Civil Penalty</u>
(7) MC 717.17(b)(1)(v)	\$ 750.00
(8) MC 717.20(b)	<u>750.00</u>
TOTAL	\$1,500.00

Total civil penalties assessed for Notices of Violation and failure to abate violations--\$10,940.00.

Justification for Civil Penalties Assessed for Notice of Violation

It is proposed that civil penalties be assessed for all violations issued by the State Regulatory Authority regardless of federal action taken, as guidelines for determining the amount of civil penalties adopted under the State Regulator/Authorities Interim Program, clearly demonstrate a marked difference, and the adopted criteria from which the civil penalties are derived depict a pattern of reoccurring violations through negligence that is not demonstrated by federal assessment.

Thank you for your consideration.