



STATE OF UTAH
NATURAL RESOURCES & ENERGY
Oil, Gas & Mining

Scott M. Matheson, Governor
Temple A. Reynolds, Executive Director
Cleon B. Feight, Division Director

4241 State Office Building • Salt Lake City, UT 84114 • 801-533-5771

May 11, 1982

#P324 741 382

CERTIFIED - RETURN RECEIPT REQUESTED

Mr. Andrew King, Engineer
Natomas Coal Company
P. O. Box 370
Orangeville, Utah 84528

RE: Proposed Assessment for
State Violation No. N82-2-4-1

Dear Mr. King:

Enclosed you will find the proposed civil penalty assessment for this violation. The violation was cited by Division Inspector Sandy Pruitt on April 7, 1982.

The Board of Oil, Gas and Mining has empowered me to act as Assessment Officer and to conduct informal conferences on violations and assessments. This assessment has been computed by me using Rule UMC/SMC 845.2 et seq.

You may or may not request that the Division establish an assessment conference at this time. If no conference is requested by you within 30 days of your receipt of this letter, the violation will be reassessed considering available facts and you will be required to pay the civil penalty as reassessed.

Should you decide to request an assessment conference, you must do so in writing within 30 days of your receipt of this letter. Please specify in your request what the nature of your contest to the violation will include. For your ease in responding, I have classified those contests as follows:

1. A contest of the amount of the assessment and not the fact of the violation(s) having occurred.
2. A contest of the facts of whether the violation(s) occurred.

Mr. Andrew King
May 11, 1982
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This classification has been made to enable the Division time to arrange for a court reporter to establish a record of the proceedings in contests of the facts of a violation.

My decision resulting from the assessment conference may be appealed to the Board in a more formal proceeding.

Sincerely,



RONALD W. DANIELS
ACTING ASSESSMENT OFFICER

Enclosure

cc: Assessment Officer
Field Supervisor

RWD/btb

ASSESSMENT WORKSHEET

NOV# N82-2-4-1

PERMIT# ACT/015/009

Name of Company Natomas Coal Company

Violation # 1 of 1 POINTS

- 1. History of previous violations 2
- 2. Seriousness (either A or B)
 - A. (1) Probability of occurrence 18
 - (2) Extent of potential or actual damage 16
 - B. Obstruction to enforcement --
 - Total Seriousness 34
- 3. Negligence 16
- 4. Good Faith (Will be considered after complete information is received) --

TOTAL POINTS 52

ASSESSMENT \$1,080

Violation # _____ of _____ POINTS

- 1. History of previous violations _____
- 2. Seriousness (either A or B)
 - A. (1) Probability of occurrence _____
 - (2) Extent of potential or actual damage _____
 - B. Obstruction to enforcement _____
 - Total Seriousness _____
- 3. Negligence _____
- 4. Good Faith (Will be considered after complete information is received) _____

TOTAL POINTS _____

ASSESSMENT \$ _____

ASSESSMENT EXPLANATION

NOV# N82-2-4-1

PERMIT# ACT/015/009

Name of Company Natomas Coal Company/Trail Mtn. Mine

Violation # 1 of 1

History of previous violations: N81-3-14-1, effective date 8/19/82 = 1 pt.

N81-3-8-1, effective date 8/26/82 = 1 pt.

Seriousness: (either A or B) N81-1-9-2, pending 2 pts. total

A. (1) Probability of occurrence:

The violation, failure to design, construct and maintain sediment control structures is deemed to have resulted in water pollution and erosion having occurred. 18 points

(2) Extent of actual or potential damage: Damage extends off the permit area. 16 points

B. Obstruction to enforcement:

Negligence: ORDINARY NEGLIGENCE Notice given per NAOC (March 3, 1982) and letter (August 19, 1981). 16 points.

Good Faith: WILL BE CONSIDERED AFTER COMPLETE INFORMATION IS RECEIVED

PS Form 3811, Jan. 1976

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on 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:
 Andrew King
 PO Box 390
 ORANGEVILLE, UT 84528

3. ARTICLE DESCRIPTION:
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 324 741 382

(Always obtain signature of addressee or agent)

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

4. DATE OF DELIVERY
 MAY 13 1982

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

☆ GPO : 1976-288-548

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RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse) *Apr 10/85/1009*

SENT TO
 Andrew King
 STREET AND NO.
 PO Box 390
 P.O., STATE AND ZIP CODE
 ORANGEVILLE, UT 84528

POSTAGE \$

CONSULT POSTMASTER FOR FEES	
CERTIFIED FEE	¢
SPECIAL DELIVERY	¢
RESTRICTED DELIVERY	¢
OPTIONAL SERVICES	
RETURN RECEIPT SERVICE	¢
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
 MAY 11 1982

PS Form 3800, Apr. 1976

UNITED STATES POSTAL SERVICE
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SENDER INSTRUCTIONS
 Print your name, address, and ZIP Code in the space below.
 • 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
 Natural Resources & Energy
 Oil, Gas, & Mining
 4241 State Office Building
 Salt Lake City Utah 84114

Penalty for Private Use to Avoid Payment of Postage: \$300

(City, State, and ZIP Code)
 (Street or P.O. Box)
 (Name of Sender)



- STICK POSTAGE TO BE USED TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (See front)
- If you want this receipt guaranteed, 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 hand it to your rural carrier (no extra charge)
 - If you do not want this receipt guaranteed, stick the gummed stub on the left portion of the address side of the article, 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 card, 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. **Postage 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, endorse **RESTRICTED DELIVERY** on the front of the article.
 - Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable boxes in Item 1 of Form 3811.
 - Save this receipt and present it if you make a reply.

☆ GPO : 1980-331-008