



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

February 22, 1982

#0367267

REGISTERED - RETURN RECEIPT REQUESTED

Mr. Andrew King  
Natomas Trail Mtn. Coal Co.  
P.O. Box 370  
Orangeville, Utah 84537

RE: Proposed Assessment for  
State Violation No. N81-1-9-2

Dear Mr. King:

Enclosed you will find the proposed civil penalty assessment for this violation. The violation was cited by Division Inspector Joe Helfrich on December 10, 1981.

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:

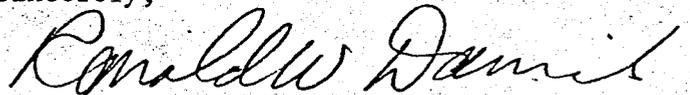
1. A contest of the amount of the assessment and not the fact of the violation(s) having occurred.
2. A contest of the facts of whether the violation(s) occurred.

Mr. Andrew King  
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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

RWD/te

cc: Assessment Officer  
Field Supervisor

Enclosure

## ASSESSMENT WORKSHEET

NOV# N81-1-9-2PERMIT# ACT/015/009Name of Company Natomas Trail Mtn. Coal CompanyViolation # 1 of 1 POINTS

- |   |           |
|---|-----------|
| 1. History of previous violations   | <u>2</u>  |
| 2. Seriousness (either A or B)  |           |
| A. (1) Probability of occurrence  | <u>17</u> |
| (2) Extent of potential or actual damage                                  | <u>16</u> |
| B. Obstruction to enforcement   | <u>-</u>  |
| Total Seriousness   | <u>33</u> |
| 3. Negligence   | <u>8</u>  |
| 4. Good Faith (Will be considered after complete information is received) | <u>-</u>  |

TOTAL POINTS 41ASSESSMENT \$ 640.00Violation # 2 of 2 POINTS

- |   |            |
|---|------------|
| 1. History of previous violations   | <u>2</u>   |
| 2. Seriousness (either A or B)  |            |
| A. (1) Probability of occurrence  | <u>-</u>   |
| (2) Extent of potential or actual damage                                  | <u>-</u>   |
| B. Obstruction to enforcement   | <u>6</u>   |
| Total Seriousness   | <u>6</u>   |
| 3. Negligence   | <u>8</u>   |
| 4. Good Faith (Will be considered after complete information is received) | <u>-10</u> |

TOTAL POINTS 6ASSESSMENT \$ 60.00

ASSESSMENT EXPLANATION

NOV# N81-1-9-2

PERMIT# ACT/015/009

Name of Company Natomas Trail Mtn. Coal Company

Violation # 1 of 2

History of previous violations: 2 points (N81-3-14-1 and N81-3-8-1)

Seriousness: (either A or B)

A. (1) Probability of occurrence:-

The violation, failure to maintain sediment control measures can result in the events of water pollution, erosion, and sediment loading in stream courses. Sediment loading is deemed to have occurred as a result of the violation. 17 points.

(2) Extent of actual or potential damage:

Damage extended off-site. 16 points.

B. Obstruction to enforcement:

Negligence: ORDINARY NEGLIGENCE

8 points.

Good Faith: WILL BE CONSIDERED AFTER COMPLETE INFORMATION IS RECEIVED

ASSESSMENT EXPLANATION

NOV# N81-1-9-2

PERMIT# ACT/015/009

Name of Company Natomas Trail Mtn. Coal Company

Violation # 2 of 2

History of previous violations: 2 points (N81-3-14-1 and N81-3-8-1)

Seriousness: (either A or B)

A. (1) Probability of occurrence:

(2) Extent of actual or potential damage:

B. Obstruction to enforcement:

The violation hindered the inspector in that he could not determine if a burning trash pile was properly permitted. 6 points.

Negligence: ORDINARY NEGLIGENCE

8 points.

Good Faith: WILL BE CONSIDERED AFTER COMPLETE INFORMATION IS RECEIVED

-10 points.

