



0022

STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

File

Scott M. Matheson, Governor
Temple A. Reynolds, Executive Director
Dianne R. Nielson, Ph.D., Division Director

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

May 4, 1984

P 396 996 752
REGISTERED RETURN RECEIPT REQUESTED

Mr. Allen Childs
Natomas Trail Mountain Coal Company
P. O. Box 551
Orangeville, Utah 84537

RE: Finalized Assessment for
State Violation No. N83-4-10-1
ACT/015/009
Folder No. 8
Emery County, Utah

Dear Mr. Childs:

The civil penalty for the Violation No. N83-4-10-1 has been finalized in the amount shown in the attached assessment conference report. This assessment is finalized as a result of the meeting, discussion or letter described on the reassessment form.

Any appeal to the Board of Oil, Gas and Mining must be made in writing within fifteen (15) days of your receipt of this letter. Additionally, you must have escrowed the assessed civil penalties 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 the above-stated statutory requirements shall result in a waiver of your right of further recourse.

If no appeal or an untimely, improper appeal is made, the assessed civil penalties must be tendered to the Division within thirty (30) days of your receipt of this letter.

Thank you for your cooperation.

Sincerely,

Lorin P. Nielsen
Acting Assessment Officer

LPN:re

cc: Jodie Merriman, OSM, Albuquerque
Joe Helfrich, DOGM
Barbara Roberts, Arty

ASSESSMENT CONFERENCE REPORT
 Utah Division of Oil, Gas & Mining
 4241 State Office Building
 Salt Lake City, Utah 84114

NOV/CO No. N83-4-10-1

Location of Conference: Salt Lake City, Utah Division of Oil, Gas and Mining

Date of Conference: April 6, 1984

Company Name/Mine Name: Natomas Trail Mountain Coal Company/Trail Mountain Mine

Persons in Attendance

Lorin P. Nielsen
Joe Helfrich
Dave Lof
Barbara Roberts
Allen Childs
Joe Fielder

Representing

Acting Assessment Officer
Division of Oil, Gas and Mining
Division of Oil, Gas and Mining
Assistant Attorney General
Natomas Trail Mountain Coal Company
Natomas Trail Mountain Coal Company

<u>Violation No.</u>	<u>Amount of Assessment As Revised</u>
<u>N83-4-10-1, #1 of 1</u>	<u>\$ 400.00</u>
<u>_____</u>	<u>_____</u>
<u>_____</u>	<u>_____</u>
<u>_____</u>	<u>_____</u>
<u>TOTAL</u>	<u>\$ 400.00</u>

Approved: *Lorin P. Nielsen* Date: May 4, 1984
 (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 15 days of receipt of this report.

ASSESSMENT CONFERENCE REPORT
(continued)1. Notice of Violation/Cessation Order No. N83-4-10-1Violation 1 of 1

- (a) Nature of violation: Blasting records not available during inspection: incomplete blasting records
 (b) Date of termination: November 1, 1983

2. Conference Result	<u>Proposed Assessment</u>	<u>Conference Assessment</u>
(a) History/Prev. Vio.	<u>8</u>	<u>8</u>
(b) Seriousness		
(1) Probability of Occurrence	<u> </u>	<u> </u>
Extent of Damage	<u> </u>	<u> </u>
(2) Obstr. to Enforcement	<u>12</u>	<u>12</u>
(c) Negligence	<u>10</u>	<u>10</u>
(d) Good Faith	<u> </u>	<u> </u>
(e) Acreage	<u> </u>	<u> </u>
TOTAL	<u>30</u>	<u>30</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.)

History: AffirmedSeriousness:

Obstruction: Blasting records were kept separately from other records, and as manger was not available at the time of inspection, the records could not be located. Records were provided and found incomplete. Items not included were requirements under UMC 817.68 (c)(d)(k)(e)(n)and (q). MSHA indicated that all information required would be necessary for tunnel work, hence underground mine. Affirmed.

Negligence: AffirmedGood Faith: Easy abatement, normal compliance. 0 pointsLPN:re
71670