

0033

*File*



STATE OF UTAH  
NATURAL RESOURCES  
Oil, Gas & Mining

Norman H. Bangerter, Governor  
Dee C. Hansen, Executive Director  
Dianne R. Nielson, Ph.D., Division Director

355 W. North Temple • 3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340

February 25, 1986

CERTIFIED RETURN RECEIPT REQUESTED  
P 001 720 881

Mr. Allen Childs  
Diamond Shamrock Coal Unit  
Natomas Trail Mtn. Coal Co  
PO Box 370  
Orangeville, Utah 84537-0370

Dear Mr. Childs:

RE: Finalized Assessment for State Violation No. N85-6-13-1  
ACT/015/009 Folder # 8, Emery County, Utah

The civil penalty for the above referenced violation has been finalized. This assessment has been finalized as a result of a review of all pertinent data and facts which were not available on the date of the proposed assessment, due to the length of the abatement period.

Within fifteen (15) days of your receipt of this letter, you or your agent may make a written appeal to the Board of Oil, Gas and Mining. To do so, you must have escrowed the assessed civil penalty 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 this requirement will result in a waiver of your right of further recourse.

If no timely appeal is made, this assessed civil penalty must be tendered within thirty (30) days of your receipt of this letter. Please remit payment to the Division and mail % Jan Brown at the address listed above.

Thank you for your cooperation.

Sincerely,

*Mike Earl*  
Mike Earl  
Assessment Officer

jmc  
cc: Donna Griffin, OSM Albuquerque Field Office  
B. Roberts, Attorney Generals Office  
9099Q

WORKSHEET FOR FINAL ASSESSMENT OF PENALTIES  
 UTAH DIVISION OF OIL, GAS AND MINING

COMPANY/MINE Trail Mtn Coal/Trail Mtn NOV # N85-6-13-1  
 PERMIT # ACT/015/009 VIOLATION 1 OF 1

Nature of violation: Failure to pass disturbed area runoff  
through treatment facilities.  
 Date of termination: January 2, 1986

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Prev. Vio.	<u>3</u>	<u>3</u>
(2) Seriousness		
(a) Probability of Occurrence	<u>15</u>	<u>15</u>
Extent of Damage	<u>8</u>	<u>8</u>
(b) Hindrance to Enforcement	<u>          </u>	<u>          </u>
(3) Negligence	<u>2</u>	<u>2</u>
(4) Good Faith	<u>-6</u>	<u>-6</u>
 TOTAL	 <u>22</u>	 <u>22</u>
	TOTAL ASSESSED FINE	<u>\$ 240</u>

3. Narrative:  
 (Brief explanation for any changes made in assignment of points and any additional information that was available after the proposed assessment.)

Assessment Officer Mike Earl  
Mike Earl

Assessment Date 2/25/86