

0034

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

January 30, 1986

CERTIFIED RETURN RECEIPT REQUESTED
P 001 720 820

Mr. Allen Childs
Diamond Shamrock Coal Unit
Natomas Trail Mountain Coal Company
P O Box 370
Orangeville, Utah 84537-0370

Dear Mr. Childs:

RE: Finalized Assessments for State Violation No.'s N85-2-13-1, N85-2-14-1, C85-4-1-1, ACT/015/009, Folder #8, Carbon County, Utah

The civil penalties for the above referenced violations have been finalized. These assessments have 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 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 this requirement will result in a waiver of your right of further recourse.

If no timely appeal is made, this assessed civil penalties 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,

Dianne R. Nielson

for Constance K. Lundberg
Assessment Conference Officer

re

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

WORKSHEET FOR ASSESSMENT OF CESSATION ORDERS
UTAH DIVISION OF OIL, GAS AND MINING

COMPANY/MINE Natomas/Trail Mountain CO # C85-4-1-1
PERMIT # ACT/015/009 VIOLATION 1 OF 1
INSPECTOR David Lof DATE ISSUED 1-10-85
NATURE OF THE CESSATION ORDER: Failure to abate N84-2-25-1
DATE OF ABATEMENT OF CESSATION ORDER: _____
DATE OF RECEIPT OF CESSATION ORDER: _____
LIST THE DAYS OF FAILURE TO ABATE: _____

TOTAL NUMBER OF DAYS OF FAILURE TO ABATE: _____
NUMBER OF DAYS X \$750/DAY = TOTAL ASSESSED FINE: _____

Vacate CO because circumstances of Wilberg Mine were overriding factor. Trail Mountain sent people to help with the mine disaster who were, therefore, unable to perform routing maintenance. This decision by Trail Mountain was exemplary. It should be commended, not punished under the mine land reclamation laws.

ASSESSMENT DATE 1-30-86 Deanne K. Nelson
for Constance K Lundberg
ASSESSMENT CONFERENCE OFFICER

ASSESSMENT _____ PROPOSED ASSESSMENT X FINAL
0109Q

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

COMPANY/MINE Trail Mtn Coal Co/Trail Mtn NOV # N85-2-13-1
 PERMIT # ACT/015/009 VIOLATION 1 OF 1

Nature of violation: Failure to maintain sediment control measures

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Prev. Vio.	<u>06</u>	<u>06</u>
(2) Seriousness		
(a) Probability of Occurrence	<u>02</u>	<u>02</u>
Extent of Damage	<u>08</u>	<u>08</u>
(b) Hindrance to Enforcement	<u> </u>	<u> </u>
(3) Negligence	<u>03</u>	<u>03</u>
(4) Good Faith	<u> </u>	<u>- 10</u>
TOTAL	<u>19</u>	<u>09</u>
	TOTAL ASSESSED FINE	<u>\$ 90</u>

3. Narrative:

Pursuant to the recommendation of the inspector, 10 good points are assigned.

Assessment Date 1-30-86

Constance K. Lundberg
 for Constance K. Lundberg
 Assessment Conference Officer

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

COMPANY/MINE Trail Mtn. Coal Co./Trail Mtn. NOV # N85-2-14-1

PERMIT # ACT/015/009 VIOLATION 1 OF 1

Nature of violation: Failure to comply with terms and conditions of the permit.

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Prev. Vio.	<u>06</u>	<u>06</u>
(2) Seriousness		
(a) Probability of Occurrence	<u>05</u>	<u>05</u>
Extent of Damage	<u>08</u>	<u>08</u>
(b) Hindrance to Enforcement	<u> </u>	<u> </u>
(3) Negligence	<u>16</u>	<u>16</u>
(4) Good Faith	<u> </u>	<u> </u>
TOTAL	<u>35</u>	<u>35</u>
	TOTAL ASSESSED FINE	<u>\$ 500</u>

3. Narrative:

No changes are made. Change in ownership does not suspend operation of the mine land reclamation laws.

Assessment Date 1-30-86
for Dianne R. Nelson
 Constance K. Lundberg
 Assessment Conference Officer