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

State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340

September 9, 1988

CERTIFIED RETURN RECEIPT REQUESTED
P 592 431 928

Mr. Dan Guy, Manager
Beaver Creek Coal Company
P.O. Box 1378
Price, Utah 84501

Dear Mr. Guy:

Re: Proposed Assessment for State Violation No. C88-19-2-1, ACT/015/009, Folder #8, Emery County, Utah

The undersigned has been appointed by the Board of Oil, Gas and Mining as the Assessment Office for assessing penalties under UMC/SMC 845.11-845.20.

Enclosed is the proposed civil penalty assessment for the above-referenced violation. This violation was issued by Division Inspector Rick Smith on August 16, 1988. Rules UMC/SMC 845.2 et seq have been utilized to formulate the proposed penalty. By these rules, any written information submitted by you or your agent within fifteen (15) days of receipt of this Notice of Violation has been considered in determining the facts surrounding the violation and the amount of penalty.

Within fifteen (15) days after receipt of this proposed assessment, you or your agent may file a written request for an assessment conference to review the proposed penalty. (Address a request for a conference to Ms. Vicki Bailey, at the above address.)

IF A TIMELY REQUEST IS NOT MADE, THE PROPOSED PENALTY(IES) WILL BECOME FINAL, AND THE PENALTY(IES) WILL BE DUE AND PAYABLE WITHIN THIRTY (30) DAYS OF THE PROPOSED ASSESSMENT. Please remit payment to the Division and mail c/o Vicki Bailey.

Sincerely,

Joseph C. Helfrich

Joseph C. Helfrich
Assessment Officer

jb
Enclosure
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an equal opportunity employer

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

COMPANY/MINE Beaver Creek Coal

CO #C-88-19-2-1

PERMIT # ACT/015/009

VIOLATION 1 OF 1

INSPECTOR Rick Smith

DATE ISSUED 8/16/88

NATURE OF THE CESSATION ORDER: Failure to abate a violation within the allowable abatement time. Subsidence monitoring requirements.

DATE OF ABATEMENT OF CESSATION ORDER: 8/18/88

DATE OF RECEIPT OF CESSATION ORDER: 8/18/88

LIST THE DAYS OF FAILURE TO ABATE: 1 - August 18, 1988

TOTAL NUMBER OF DAYS OF FAILURE TO ABATE: 1

NUMBER OF DAYS X $750/DAY = TOTAL ASSESSED FINE: $750.00

ASSESSMENT DATE 9/9/88 ASSESSMENT OFFICER Joseph C. Helfrich

$750.00 PROPOSED ASSESSMENT $750.00 FINAL ASSESSMENT

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