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ACT/015/015



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OIL, GAS, AND MINING BOARD

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NATURAL RESOURCES

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DEPARTMENT OF NATURAL RESOURCES

DIVISION OF OIL, GAS, AND MINING

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*Director*

1588 West North Temple  
Salt Lake City, Utah 84116  
(801) 533-5771

September 3, 1981

#0367515

REGISTERED - RETURN RECEIPT REQUESTED

Mr. Ron Thompson  
Consolidation Coal Company  
P.O. Box 527  
Emery, Utah 84522

RE: Assessment Conference Report  
and Assessment of Civil Penalty  
Violation No. N81-3-10-2

Dear Mr. Thompson:

Enclosed please find the Division's Assessment Conference Report concerning violations of the Utah Coal Mining and Reclamation Act, U.C.A., 40-10-1, et seq., at the Emery Mine, Emery County, Utah. The civil penalty of \$200.00 is hereby assessed by the Board of Oil, Gas and Mining unless you apply for review and public hearing before the Board within 30 days of receipt of this letter and the Assessment Conference Report.

Should you choose not to seek a public hearing concerning this matter, the civil assessment must be paid to the Division within 30 days of receipt of this letter and the Assessment Conference Report.

Please contact the Division if you have any questions or informational needs.

Sincerely,

RONALD W. DANIELS  
ACTING ASSESSMENT OFFICER

RWD/te

cc: Inspector  
Assessment Officer

Enclosure

ASSESSMENT CONFERENCE REPORT  
 Utah Division of Oil, Gas & Mining  
 1588 West North Temple  
 Salt Lake City, Utah

NOV/CO No. N81-3-10-2

Location of Conference: Salt Lake City, Utah

Date of Conference: August 21, 1981

Company Name/Mine Name: Consolidation Coal Company/Emery Mine

<u>Persons in Attendance</u>	<u>Title</u>
<u>Ron Thompson</u>	<u>Consolidation Coal Company</u>
<u>Rick Holbrook</u>	<u>Consolidation Coal Company</u>
<u>Tom Portle, Ron Daniels</u>	<u>Division of Oil, Gas and Mining</u>

<u>Violation No.</u>	<u>Points Change</u>	<u>Amount of Assessment As Revised</u>
<u>1 of 2</u>	<u>-36</u>	<u>\$ .00</u>
<u>2 of 2</u>	<u>-27</u>	<u>200.00</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

Approved: *Donald W Daniels* Date: 9/3/81  
 (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 30 days of receipt of this report.

ASSESSMENT CONFERENCE REPORT  
(continued)

1. Notice of Violation/Cessation Order No. N81-3-10-2
- Violation 1 of 2
- (a) Nature of violation: Failure to pass runoff through a sediment pond.
- (b) Date of termination: June 31, 1981

2. Conference Result	<u>Proposed Assessment</u>	<u>Conference Assessment</u>
(a) History/Prev. Vio.	-	-
(b) Seriousness		
(1) Probability of Occurrence	12	6
Extent of Damage	16	8
(2) Obstr. to Enforcement	-	-
(c) Negligence	8	4
(d) Good Faith	-	-18
(e) Acreage	-	-
<b>TOTAL</b>	<u>36</u>	<u>0</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.)
- The events were deemed unlikely to occur. Potential damage was deemed insignificant. Good faith <sup>points</sup> were awarded for immediate compliance.

ASSESSMENT CONFERENCE REPORT  
(continued)

1. Notice of Violation/Cessation Order No. N81-3-10-2

Violation 2 of 2

(a) Nature of violation: Failure to maintain sediment control structures.

(b) Date of termination: July 2, 1981

2. Conference Result	<u>Proposed Assessment</u>	<u>Conference Assessment</u>
(a) History/Prev. Vio.	-	-
(b) Seriousness		
(1) Probability of Occurrence	17	15
Extent of Damage	20	10
(2) Obstr. to Enforcement	-	-
(c) Negligence	10	10
(d) Good Faith	-	-15
(e) Acreage	-	-
TOTAL	47	20

3. Narrative:

(Brief explanation of reasons for any changes made in assignment of points and any additional information that was presented at the conference.)

Environmental damage resulting from the violation is low. Good faith was demonstrated for rapid compliance.