



0015

STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

File

Scott M. Matheson, Governor
Temple A. Reynolds, Executive Director
Dr. G. A. (Jim) Shirazi, Division Director

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

*ACT/015/015
#8*

Janaury 20, 1984

P 396 996 712
REGISTERED RETURN RECEIPT REQUESTED

Mr. Rick Holbrook
Consolidation Coal Company
#2 Inverness Dr.
Englewood, Colorado 80112

RE: Finalized Assessment for
State Violation No. N83-4-8-1
ACT/015/015, Folder No. 7
Emery County, Utah

Dear Mr. Holbrook

The civil penalty for the Violation No. N83-4-8-1 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,

Ronald W. Daniels
Acting Assessment Officer

RWD/re

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

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

NOV/CO No. N83-4-8-1

Location of Conference: Telephone

Date of Conference: December 12, 1983

Company Name/Mine Name: Consolidation Coal company/Emery Deep/ACT/015/015

<u>Persons in Attendance</u>	<u>Representing</u>
<u>Rick Holbrook, Ron Hughes</u>	<u>Consolidation Coal Company</u>
<u>Ron Thompson, Mr. Jocko</u>	<u>Consolidation Coal Company</u>
<u>Dave Lof, Ron Daniels</u>	<u>Division Oil, Gas and Mining</u>

<u>Violation No.</u>	<u>Amount of Assessment As Revised</u>
<u>1 of 1</u>	<u>\$ 130.00</u>
<u> </u>	<u> </u>
<u>TOTAL DUE</u>	<u>\$ 130.00</u>

Approved: *RW Daniels* Date: 1/20/84
 (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. N83-4-8-1

Violation 1 of 1

- (a) Nature of violation: Failure to maintain diversions
- (b) Date of termination: July 28, 1983

2. Conference Result	<u>Proposed Assessment</u>	<u>Conference Assessment</u>
(a) History/Prev. Vio.	<u>1</u>	<u>1</u>
(b) Seriousness		
(1) Probability of Occurrence	<u>12</u>	<u>12</u>
Extent of Damage	<u>12</u>	<u>12</u>
(2) Obstr. to Enforcement	<u>-</u>	<u>-</u>
(c) Negligence	<u>8</u>	<u>8</u>
(d) Good Faith	<u>-20</u>	<u>-20</u>
(e) Acreage	<u>-</u>	<u>-</u>
TOTAL	<u>13</u>	<u>13</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.)

Non Applicable