



0021

STATE OF UTAH  
NATURAL RESOURCES  
Oil, Gas & Mining

*File*

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

August 29, 1985

CERTIFIED RETURN RECEIPT REQUESTED  
P 402 457 722

Mr. Larry Guymon  
Emery Mining Corporation  
P. O. Box 310  
Huntington, Utah 84528

Dear Mr. Guymon

RE: Finalized Assessment for State Violation No. N85-2-8-1.  
ACT/015/017, 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.

Thank you for your cooperation.

Sincerely,

Mike Earl  
Assessment Officer

re

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 UP&L / Des Bee Dove Mine NOV # N85-2-8-1  
 PERMIT # ACT/015/017 VIOLATION 1 OF 1

Nature of violation: Failure to minimize erosion  
 Date of termination: June 10, 1985

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Prev. Vio.	<u>4</u>	<u>4</u>
(2) Seriousness		
(a) Probability of Occurrence	<u>6</u>	<u>6</u>
Extent of Damage	<u>8</u>	<u>8</u>
(b) Hindrance to Enforcement		
(3) Negligence	<u>18</u>	<u>18</u>
(4) Good Faith	<u>-16</u>	<u>-16</u>
TOTAL	<u>20</u>	<u>20</u>
TOTAL ASSESSED FINE		<u>\$ 200</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

Assessment Date 8/26/85

Mike Earl