



0024

STATE OF UTAH  
NATURAL RESOURCES  
Oil, Gas & Mining

*File*

Norman H. Bangertter, Governor  
Dee C. Hansen, Executive Director  
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July 29, 1985

CERTIFIED RETURN RECEIPT REQUESTED  
P 402 457 701

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

Dear Mr. Guymon;

RE: Corrected Proposed Assessment for State NOV N85-2-8-1,  
ACT/015/017, Folder #8, Emery County, Utah

A corrected assessment for the above noted NOV is being sent to you. Due to a misnotation the dimensions given in the explanation of Part II, 3 were written as feet. These should have been in inches. This correction is being made so as not to cause confusion should an assessment conference be requested for this NOV.

Sincerely,

*Mike Earl*

Mike Earl  
Assessment Officer

re  
enclosure  
0197Q-7

3. Would or did the damage or impact remain within the exploration or permit area? No

	RANGE	MID-POINT
Within Exp/Permit Area	0-7*	4
Outside Exp/Permit Area	8-25*	16

\*In assigning points, consider the duration and extent of said damage or impact, in terms of area and impact on the public or environment.

ASSIGN DAMAGE POINTS 8

PROVIDE AN EXPLANATION OF POINTS Inspector states that a gully approximately 3 inches deep has formed along the access. Also a gully approximately 6 inches deep and 8 inches wide has formed in the adjacent undisturbed area. The pre act area is located next to the permitted disturbed area but will not be reclaimed due to its pre act status.

B. Hindrance Violations MAX 25 PTS

1. Is this a potential or actual hindrance to enforcement?           

	RANGE	MID-POINT
Potential hindrance	1-12	7
Actual hindrance	13-25	19

Assign points based on the extent to which enforcement is hindered by the violation.

ASSIGN HINDRANCE POINTS           

PROVIDE AN EXPLANATION OF POINTS           

TOTAL SERIOUSNESS POINTS (A or B) 14

III. NEGLIGENCE MAX 30 PTS

A. Was this an inadvertent violation which was unavoidable by the exercise of reasonable care? IF SO - NO NEGLIGENCE;  
OR Was this a failure of a permittee to prevent the occurrence of a violation due to indifference, lack of diligence, or lack of reasonable care, or the failure to abate any violation due to the same? IF SO - NEGLIGENCE;  
OR Was this violation the result of reckless, knowing, or intentional conduct? IF SO - GREATER DEGREE OF FAULT THAN NEGLIGENCE.

		MID-POINT
No Negligence	0	
Negligence	1-15	8
Greater Degree of Fault	16-30	23

STATE DEGREE OF NEGLIGENCE Greater Degree of fault

ASSIGN NEGLIGENCE POINTS 18

PROVIDE AN EXPLANATION OF POINTS During a joint inspection on April 24, 1985 with OSM the problem of erosion and stabilization were discussed with the operator.