

NATOMAS  
TRAIL  
MOUNTAIN  
COAL  
COMPANY

April 14, 1983

Joe Helfrish  
State of Utah  
Division of Oil, Gas, and Mining  
4241 State Office Building  
Salt Lake City, Utah 84114

Dear Joe,

As per our telephone conversation on 4-14-83 acknowledging my concern over N.O.V. 83-5-1-1 issued to Utah Power and Light Company (Cottonwood Portal) on Jan. 6th, 1983, I am submitting this letter as a follow up.

On Jan. 24, 1983, Mr. Larry Guymon of Emery Mining submitted a formal request to have N.O.V. 83-1-1, date 1-10-83 written to Trail Mountain Coal instead of to Utah Power and Light. In his submittal, Mr. Guymon stated that Trail Mountain Coal Co. had an agreement with Utah Power and Light to accept responsibility for any violations of any State and Federal regulations of either the O.S.M. or D.O.G.M.

Prior to my assuming the engineering duties at Trail Mnt. Coal, Mr. Andy King had initiated an agreement with Utah Power and Light through Mr. Chris Shingleton for a right-of-way by-pass pipeline.

As you are aware, since the first of the year, Natomas Trail Mountain Coal has put forth a great deal of effort to bring our mine site into a state of compliance and be free of future violations.

By assuming the above mentioned violation, Trail Mnt. Coal would fall into a pattern of violation category which we do not want to happen.

I will say that I feel responsible for the violation, because Trail Mnt. Coal contracted snow removal and grader service from a private contractor and the violation was due to snow and road blading being graded into Utah Power and Lights burrow pit area, causing it to fill up during a several month period.

*Barbara*  
*Con D*  
*1983 UPL Willey*  
*Catalog # 7*

*ACT 15/019*

RECEIVED

APR 18 1983

DIVISION OF  
OIL, GAS & MINING

In an effort to be a good neighbor to Utah Power and Light, I would be willing to assume this violation if it did not put us into a pattern of violation situation.

I would also mention that neither Mr. King, or myself are empowered by Natomas to make any contractual agreements, written or verbal.

Sincerely,

A handwritten signature in black ink, appearing to read "Allen Childs". The signature is written in a cursive, somewhat stylized font.

Allen Childs  
Cheif Engineer

Enclosure



STATE OF UTAH  
NATURAL RESOURCES & ENERGY  
Oil, Gas & Mining

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

Joe H

Scott M. Matheson, Governor  
Temple A. Reynolds, Executive Director  
Cleon B. Feight, Division Director

April 20, 1983

REGISTERED RETURN RECEIPT REQUESTED

Mr. Allen Childs  
Natomas Trail Mountain Coal Company  
P.O. Box 511  
Orangeville, Utah 84537

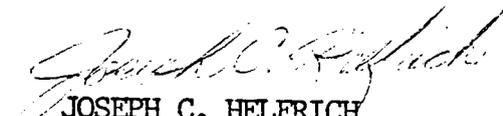
RE: Utah Power & Light  
NOV N83-5-1-1

Dear Allen:

Pursuant to your letter to myself dated April 14, 1983 and subsequent phone conversation the Division is of the following opinion. That the violation was a result of non-compliance within the permit area of the Cottonwood Portal permit and therefore is a liability of Utah Power & Light Company. As a point of clarification the proposed assessment has been determined at a civil penalty of \$800.00. A conference has not been requested at this time nor has there been any final assessment proposed. The Division is of the opinion that Natomas Trail Mountain Coal Company should not become involved with the civil penalties and appeals procedures pursuant to NOV N83-5-1-1.

Please call if you have any questions.

Sincerely,

  
JOSEPH C. HELFRICH  
FIELD SUPERVISOR

JCH/lm

cc: Dave Lof, DOGM