



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

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

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

0008

July 8, 1982

Mr. Wendell J. Owen  
Co-op Mining Company  
P.O. Box 1245  
Huntington, Utah 84528

#8

RE: Proposed Assessment for  
State Violation No. N82-1-5-1

Dear Mr. Owen:

Enclosed you will find the proposed civil penalty assessment for this violation. The violation was cited by Division Inspector Joe Helfrich on June 10, 1982.

The Board of Oil, Gas and Mining has empowered me to act as Assessment Officer and to conduct informal conferences on violations and assessments. This assessment has been computed by me using Rule UMC/SMC 845.2 et seq.

You may or may not request that the Division establish an assessment conference at this time. If no conference is requested by you within 30 days of your receipt of this letter, the violation will be reassessed considering available facts and you will be required to pay the civil penalty as reassessed.

Should you decide to request an assessment conference to contest either the amount of the penalty or the fact of the violation, you must do so in writing and forward the proposed amount to the Board for placement in an escrow within 30 days from receipt of the proposed amount of the penalty. Please specify in your request what the nature of your contest to the alleged violation will include. For your ease in responding, I have classified those contests as follows:

1. A contest of the amount of the assessment and not the fact of the violation having occurred.
2. A contest of the facts of whether the violation occurred.

Mr. Wendell J. Owen  
July 8, 1982  
Page Two

This classification has been made to enable the Division time to arrange for a court reporter to establish a record of the proceedings in contests of the facts of a violation.

My decision resulting from the assessment conference may be appealed to the Board in a more formal proceeding.

Sincerely,



RONALD W. DANIELS  
ACTING ASSESSMENT OFFICER

Enclosures

cc: Assessment Officer  
Field Supervisor  
Tom Ehmett., OSM

RWD/mn

ASSESSMENT WORKSHEET

NOV# N82-1-5-1

PERMIT# ACT/015/025

Name of Company Co-op Mining Company

Violation # 1 of 1 POINTS

- 1. History of previous violations 2
- 2. Seriousness (either A or B)
  - A. (1) Probability of occurrence 7
  - (2) Extent of potential or actual damage 9
  - B. Obstruction to enforcement \_\_\_\_\_
  - Total Seriousness 16
- 3. Negligence 12
- 4. Good Faith (Will be considered after complete information is received) \_\_\_\_\_

TOTAL POINTS 30

ASSESSMENT \$ 400.00

Violation # \_\_\_\_\_ of \_\_\_\_\_ POINTS

- 1. History of previous violations \_\_\_\_\_
- 2. Seriousness (either A or B)
  - A. (1) Probability of occurrence \_\_\_\_\_
  - (2) Extent of potential or actual damage \_\_\_\_\_
  - B. Obstruction to enforcement \_\_\_\_\_
  - Total Seriousness \_\_\_\_\_
- 3. Negligence \_\_\_\_\_
- 4. Good Faith (Will be considered after complete information is received) \_\_\_\_\_

TOTAL POINTS \_\_\_\_\_

ASSESSMENT \$ \_\_\_\_\_

ASSESSMENT EXPLANATION

NOV# N82-1-5-1

PERMIT# ACT/015/025

Name of Company Co-op Mining Company

Violation # 1 of 1

History of previous violations: N81-3-17-1 eff. date 7/8/82=1 point; N81-2-7-2 eff. date 1/6/82-1point. Total=2 points.

Seriousness: (either A or B)

A. (1) Probability of occurrence: The violation failure to operate in accordance with approved plan and stipulation is deemed unlikely to result in water pollution from increased sediment. 7 Points.

(2) Extent of actual or potential damage: Damage would intend off site but cannot be quantified. 9 points.

B. Obstruction to enforcement:

Negligence: ORDINARY NEGLIGENCE 12 points

Good Faith: WILL BE CONSIDERED AFTER COMPLETE INFORMATION IS RECEIVED