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STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

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

July 13, 1983

REGISTERED RETURN RECEIPT REQUESTED *P 396 996 647*

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

RE: Finalized Assessment for
State Violation No. C83-5-1-4
ACT/015/025
Folder No. 8
Emery County, Utah

Dear Mr. Owen:

The civil penalty for the Violation No. C83-5-1-4, 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 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 (30) days of your receipt of this letter.

Thank you for your cooperation.

Sincerely,

RONALD W. DANIELS
ACTING ASSESSMENT OFFICER

RWD/gb

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

Enclosure

ASSESSMENT CONFERENCE REPORT
Utah Division of Oil, Gas & Mining
1588 West North Temple
Salt Lake City, Utah

NOV/CO No. C83-5-1-4

Location of Conference: Salt Lake City, Utah
Date of Conference: June 10, 1983
Company Name/Mine Name: Co-op Mining Company / Bear Creek Canyon Mine / ACT/015/025

Persons in Attendance

~~XXXX~~ Representing

Bill Stoddard, Karl Kingston

Co-op Mining Company

John Whitehead

DOG M

Ron Daniels

Violation No.

Amount of Assessment
As Revised

1 of 4

\$ 750.00

2 of 4

750.00

3 of 4

3,750.00

4 of 4

750.00

Total Due

\$ 6,000.00

Approved: *RW Daniels*
(Signature of Conference Officer)

Date: 7/13/83

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. ~~No. of Violation~~ Cessation Order No. C83-5-1-4

Violation 1 of 4

(a) Nature of violation: Failure to abate 2 of 10 of N82-5-2-10 *

(b) Date of termination: February 3, 1983

2. Conference Result	Proposed Assessment	Conference Assessment
(a) History/Prev. Vio.	<u>One day</u>	<u> </u>
(b) Seriousness		
(1) Probability of Occurrence	<u>of failure</u>	<u> </u>
Extent of Damage	<u>to abate.</u>	<u> </u>
(2) Obstr. to Enforcement	<u> </u>	<u> </u>
(c) Negligence	<u> </u>	<u> </u>
(d) Good Faith	<u> </u>	<u> </u>
(e) Acreage	<u> </u>	<u> </u>
TOTAL	<u>\$ 750.00</u>	<u>\$ 750.00</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.)

* Part 2 of 10 of N82-5-2-10 was issued for conducting mining without approval.

ASSESSMENT CONFERENCE REPORT
(continued)

1. ~~Notice of Violation/Cessation~~ Order No. C83-5-1-4

Violation 2 of 4

(a) Nature of violation: Failure to abate 4 of 10 of N82-5-2-10 *

(b) Date of termination: _____

2. Conference Result	Proposed Assessment	Conference Assessment
(a) History/Prev. Vio.	<u>One day</u>	_____
(b) Seriousness	<u>of failure to abate. @ \$ 750.00 a day</u>	_____
(1) Probability of Occurrence	_____	_____
Extent of Damage	_____	_____
(2) Obstr. to Enforcement	_____	_____
(c) Negligence	_____	_____
(d) Good Faith	_____	_____
(e) Acreage	_____	_____
TOTAL	<u>\$ 750.00</u>	<u>\$ 750.00</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.)

* Part 4 of 10 of N82-5-2-10 was issued for failure to manage topsoil.

ASSESSMENT CONFERENCE REPORT
(continued)

1. ~~Notice of Violation~~ / Cessation Order No. C83-5-1-4

Violation 3 of 4

(a) Nature of violation: Failure to abate 7 of 10 of N82-5-2-10

(b) Date of termination: February 7, 1983

2. Conference Result	<u>Proposed Assessment</u>	<u>Conference Assessment</u>
(a) History/Prev. Vio.	_____	_____
(b) Seriousness		
(1) Probability of Occurrence	Five days of failure to abate @ \$750.00 a day	Five days
Extent of Damage	_____	_____
(2) Obstr. to Enforcement	_____	_____
(c) Negligence	_____	_____
(d) Good Faith	_____	_____
(e) Acreage	_____	_____
TOTAL	<u>\$ 3,750.00</u>	<u>\$ 3,750.00</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.)

The original violation, 7 of 10 of N82-5-2-10 was issued for failure to minimize erosion and stabilize downslopes.

ASSESSMENT CONFERENCE REPORT
(continued)

1. ~~Notice of Violation~~/Cessation Order No. C83-5-1-4
 Violation 4 of 4
 (a) Nature of violation: Failure to abate 8 of 10 of N83-5-2-10 *
 (b) Date of termination: _____

2. Conference Result	Proposed Assessment	Conference Assessment
(a) History/Prev. Vio.	One day of failure to abate @ \$750.00/day	
(b) Seriousness		
(1) Probability of Occurrence	_____	_____
Extent of Damage	_____	_____
(2) Obstr. to Enforcement	_____	_____
(c) Negligence	_____	_____
(d) Good Faith	_____	_____
(e) Acreage	_____	_____
TOTAL	\$ 750.00	\$ 750.00

3. Narrative:
 (Brief explanation of reasons for any changes made in assignment of points and any additional information that was presented at the conference.)

* Part 8 of 10 was issued for failure to minimize changes to the hydrologic balance.