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State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

File

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September 16, 1991

CERTIFIED RETURN RECEIPT REQUESTED
P 074 979 129

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

Dear Mr. Owen:

Re: Finalized Assessment for State Violation #N91-34-2-1, Co-Op Mining Company, Bear Canyon, [REDACTED] 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 including those presented in the assessment conference by you or your representative and the Division of Oil, Gas and Mining inspector.

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 escrow the assessed civil penalty with the Division within a maximum of thirty (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, mail c/o Vicki Bailey at the address listed above.

Thank you for your cooperation.

Sincerely,

Tom Mitchell
Assessment Conference Officer

jbe
Enclosure

cc: John C. Kathmann, OSM, AFO

an equal opportunity employer

**WORKSHEET FOR FINAL ASSESSMENT OF PENALTIES
UTAH DIVISION OF OIL, GAS AND MINING**

COMPANY/MINE Co-Op Mining Co/Bear Canyon Mine NOV #N91-34-2-1

PERMIT # ACT/015/025 VIOLATION 1 of 1

Assessment Date 09/13/91 Assessment Officer Tom Mitchell

Nature of
Violation: Failed to maintain undisturbed ditches.

Date of Termination: 06/06/91

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Previous Violations	<u>16</u>	<u>16</u>
(2) Seriousness		
(a) Probability of Occurrence	<u>20</u>	<u>9</u>
Extent of Damage	<u>0</u>	<u>0</u>
(b) Hindrance to Enforcement	<u> </u>	<u> </u>
(3) Negligence	<u>8</u>	<u>8</u>
(4) Good Faith	<u>-0</u>	<u>-5</u>
Total Points	<u>44</u>	<u>28</u>
TOTAL ASSESSED FINE		\$ <u>360.00</u>

NARRATIVE:

(Brief explanation for any changes made in assignment of points and any additional information that was available after the proposed assessment.)

Information presented at the assessment conference revealed that the probability of occurrence of offsite sediment loading was unlikely. The operator exercised diligence in abating the violation.

jbe