

0062



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor
Ted Stewart
Executive Director
James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

September 3, 1993

CERTIFIED RETURN RECEIPT REQUESTED
P 074 978 363

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

Re: Finalized Assessment for State Violation #N93-35-3-1, Co-Op Mining Company, Bear Canyon Mine, ACT/015/025, Folder #5, Emery County, Utah

Dear Mr. Owen:

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,

A handwritten signature in cursive script that reads "Ronald W. Daniels".

Ronald W. Daniels
Assessment Conference Officer

mbm
Enclosure
cc: Bernie Freeman, OSM, AFO



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

COMPANY/MINE Co-Op Mining Company / Bear Canyon Mine NOV #N93-35-3-1

PERMIT # ACT/015/025

VIOLATION 1 of 1

Assessment Date 9/02/93

Assessment Officer Ronald W. Daniels

Nature of Violation:

Use of explosives without an approved plan and failure to follow the approved plan.

Date of Termination: June 7, 1993 - effective June 2, 1993

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Previous Violations	<u>0</u>	<u>0</u>
(2) Seriousness		
(a) Probability of Occurrence	<u>20</u>	<u>20</u>
Extent of Damage	<u>0</u>	<u>0</u>
(b) Hindrance to Enforcement	<u>0</u>	<u>0</u>
(3) Negligence	<u>8</u>	<u>8</u>
(4) Good Faith	<u>-0</u>	<u>-4</u>
Total Points	<u>28</u>	<u>24</u>
TOTAL ASSESSED FINE		\$ <u>280.00</u>

NARRATIVE:

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

Easy abatement, rapid compliance circumstances in which the Permittee used diligence to abate the violation.