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

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February 4, 1994

CERTIFIED RETURN RECEIPT REQUESTED
P 074 978 386

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

Re: Finalized Assessment for State Violation #N93-35-7-3, 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

sm
Enclosure



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

COMPANY/MINE Co-Op Mining/Bear Canyon Mine

NOV #N93-35-7-3

PERMIT # ACT/015/025

VIOLATION 1 of 3

Assessment Date 2/3/94 Assessment Officer Ronald W. Daniels

Nature of Violation:

Failure to completely construct sediment pond before beginning coal mining operations.

Date of Termination: 9/10/93

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
1. History/Prev. Violations	<u>1</u>	<u>1</u>
2. Seriousness		
(a) Probability of Occurrence	<u>2</u>	<u>2</u>
Extent of damage	<u> </u>	<u> </u>
(b) Hindrance to enforcement	<u> </u>	<u> </u>
3. Negligence	<u>15</u>	<u>15</u>
4. Good Faith	<u>-10</u>	<u>-10</u>
TOTAL	<u>8</u>	<u>8</u>
	TOTAL ASSESSED FINE	<u>\$ 80.00</u>

NARRATIVE:

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

sm
Enclosure

cc: Bernie Freeman, OSM

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

COMPANY/MINE Co-Op Mining/Bear Canyon Mine

NOV #N93-35-7-3

PERMIT # ACT/015/025

VIOLATION 2 of 3

Assessment Date 2/3/94 Assessment Officer Ronald W. Daniels

Nature of Violation:

Failure to construct diversions.

Date of Termination: 9/17/93

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
1. History/Prev. Violations	<u>1</u>	<u>1</u>
2. Seriousness		
(a) Probability of Occurrence	<u>15</u>	<u>15</u>
Extent of damage	<u>20</u>	<u>20</u>
(b) Hindrance to enforcement	<u> </u>	<u> </u>
3. Negligence	<u>20</u>	<u>20</u>
4. Good Faith	<u>-10</u>	<u>-10</u>
TOTAL	<u>26</u>	<u>26</u>
	TOTAL ASSESSED FINE	<u>\$ 320.00</u>

NARRATIVE:

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

sm
Enclosure

cc: Bernie Freeman, OSM

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

COMPANY/MINE Co-Op Mining/Bear Canyon Mine

NOV #N93-35-7-3

PERMIT # ACT/015/025

VIOLATION 3 of 3

Assessment Date 2/3/94 Assessment Officer Ronald W. Daniels

Nature of Violation:

Failure to adequately protect and store topsoil.

Date of Termination: 9/17/93

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
1. History/Prev. Violations	<u>1</u>	<u>1</u>
2. Seriousness		
(a) Probability of Occurrence	<u>15</u>	<u>15</u>
Extent of damage	<u>8</u>	<u>8</u>
(b) Hindrance to enforcement	<u> </u>	<u> </u>
3. Negligence	<u>20</u>	<u>20</u>
4. Good Faith	<u>-15</u>	<u>-15</u>
TOTAL	<u>29</u>	<u>29</u>
	TOTAL ASSESSED FINE	<u>\$ 380.00</u>

NARRATIVE:

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

sm
Enclosure

cc: Bernie Freeman, OSM