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

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

*Routing**certified mail no
P324 743 345*

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

February 28, 1983

CERTIFIED RETURN RECEIPT REQUESTED

Mr. Kerry Frame
Southern Utah Fuel Company
P.O. Box P
Salina, Utah 84654

RE: Proposed Assessment for
State Violation
No. N83-7-2-1
ACT/041/002

Dear Mr. Frame:

The undersigned has been empowered by the Board of Oil, Gas and Mining to act as the Assessment Officer and conduct informal conferences on violations and assessments.

Enclosed you will find the proposed civil penalty assessment for the aforereferenced violation(s). The aforesaid violation(s) was issued by Division Inspector Ken Wyatt on the 24th day of February 1983. I have utilized Rule UMC/SMC 845.2 et seq to formulate the proposed penalty.

A request for an assessment conference must be submitted within thirty (30) days after receipt of this letter. Should you request an assessment conference you may contest either the occurrence of the violation, the proposed penalty or both.

If no timely request for an assessment conference is made, I shall review all pertinent data and make a final penalty assessment. The fine assessed must be paid to the Division of Oil, Gas and Mining within thirty (30) days or receipt of the proposed assessment. Failure to comply with the above-stated statutory requirements shall result in a waiver of your right of further recourse.

Mr. Kerry Frame
ACT/041/002

You should further be aware that a request, after an assessment conference, to appear before the Board of Oil, Gas and Mining will not be granted unless the proposed penalty monies are properly and timely escrowed with the Division of Oil, Gas and Mining.

Sincerely,



RONALD W. DANIELS
ACTING ASSESSMENT OFFICER

RWD/gb

cc: Jodie Merrimen, OSM
Barbara Roberts, DOGM
Joe Helfrich, DOGM

ASSESSMENT WORKSHEET

NOV# N83-7-2-1

PERMIT# ACT/041/002

Name of Company Southern Utah Fuel Company

Violation # 1 of 1 POINTS

1. History of previous violations 1
2. Seriousness (either A or B)

A. (1) Probability of occurrence 17
(2) Extent of potential or actual damage 16

B. Obstruction to enforcement --

Total Seriousness 33

3. Negligence 8

4. Good Faith (Will be considered after complete information is received) --

TOTAL POINTS 42

ASSESSMENT \$ 680.00

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# N83-7-2-1

PERMIT# ACT/041/002

Name of Company Southern Utah Fuel Company

Violation # 1 of 1

History of previous violations: N82-7-4-1 eff. 6-13-82 = 1 pt.

Seriousness: (either A or B)

A. (1) Probability of occurrence: The violation, failure to pass surface drainage from disturbed areas through sediment control facilities is deemed to have resulted in the occurrence of the events of water pollution and stream sedimentations. 17 pts.

(2) Extent of actual or potential damage:
Damage left the permit area. 16 pts.

B. Obstruction to enforcement: ----

Negligence: ORDINARY NEGLIGENCE 8 pts.

Good Faith: WILL BE CONSIDERED AFTER COMPLETE INFORMATION IS RECEIVED -----