0008

SCOTT M. MATHESON
Governor

GORDON E. HARMSTON
Executive Director,
NATURAL RESOURCES

CLEON B. FEIGHT
Director

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS, AND MINING
1588 West North Temple
Salt Lake City, Utah 84116
(801) 533-5771

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May 4, 1981

#0367334

ACT/043/001

REGISTERED - RETURN RECEIPT REQUESTED

Mr. Clem Cafarelli
Utah Coal & Energy Company
5511 South 4385 West
Kearns, Utah 84118

RE: Proposed Assessment for
State Violation No. N81-2-2-1

Dear Mr. Cafarelli:

Enclosed you will find the proposed civil penalty assessment for this violation as cited by Division Inspector Joseph C. Helfrich.

The Board of Oil, Gas and Mining has empowered me to act as Assessment Officer and to conduct informal conferences on violations and assessments. This assessment has been computed by me using the Board's guidelines.

You may appear at an informal conference to appeal both the violation and the assessment to me. I have established Monday, May 18, 1981, at 1:30 p.m., for your conference on this assessment. If you do not wish to have a conference on this assessment or cannot appear on the day established, please let me know.

My decision on the assessment as a result of the conference may be appealed by you to the Board in a more formal proceeding.

Sincerely,

Ronald W. Daniels

RONALD W. DANIELS
ACTING ASSESSMENT OFFICER

RWD/te

cc: Assessment Officer
Inspector

ASSESSMENT WORKSHEET

NOV# N81-2-2-1

PERMIT# ACT/043/001

Name of Company Utah Coal and Energy Company

Violation # 1 of 1		POINTS
1. History of previous violations		0
2. Seriousness (either A or B)		
A. (1) Probability of occurrence	10	
(2) Extent of potential or actual damage	16	
B. Obstruction to enforcement	-	
Total Seriousness		26
3. Negligence		8
4. Good Faith (Will be considered after complete information is received)		-
5. Acreage		-
TOTAL POINTS		34
ASSESSMENT		$ 480.00

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)		
5. Acreage		
TOTAL POINTS		
ASSESSMENT		$

ASSESSMENT EXPLANATION

NOV# N81-2-2-1

PERMIT# ACT/043/001

Name of Company Utah Coal and Energy Company

Violation # 1 of 1

History of previous violations: None - 0 points.

Seriousness: (either A or B)

A. (1) Probability of occurrence:

The violation, operating without a permit and failure to operate in accordance with an approved plan was deemed likely to have resulted in the event, loss of topsoil to have occurred. It was also deemed unlikely to have resulted in the event, pond failure to have occurred. 10 points.

(2) Extent of actual or potential damage:

Damage would have left the permit area had the event occurred. 16 points.

B. Obstruction to enforcement:

Negligence: ORDINARY NEGLIGENCE 8 points.

Good Faith: WILL BE CONSIDERED AFTER COMPLETE INFORMATION IS RECEIVED

Acreage:

STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)

1. If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, leaving the receipt attached, and present the article at a post office service window or hand it to your mail carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified-mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article RETURN RECEIPT REQUESTED adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse RESTRICTED DELIVERY on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in Item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS
Print your name, address, and ZIP Code in the space below.
- Complete items 1, 2, and 3 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RETURN TO

State of Utah
Department of Natural Resources
Division of Oil, Gas, & Mining
1588 West North Temple
Salt Lake City, Utah 84116

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300

U.S. MAIL

(Name of Sender)

(Street or P.O. Box)

(City, State, and ZIP Code)

P20 038 738

RECEIPT FOR CERTIFIED MAIL
NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)

SENT TO
Utah Dept. of Natural Resources
STREET AND NO.
P.O. STATE AND ZIP CODE
5511 S. 1385 E.
Murray, Utah 84118

POSTAGE $ 84118

CERTIFIED FEE ¢

SPECIAL DELIVERY ¢

RESTRICTED DELIVERY ¢

RETURN RECEIPT SERVICE — OPTIONAL SERVICES
- SHOW TO WHOM AND DATE DELIVERED ¢
- SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY ¢
- SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY ¢
- SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY ¢

CONSULT POSTMASTER FOR FEES

TOTAL POSTAGE AND FEES $

POSTMARK OR DATE
5/1/81

PS Form 3800, Apr. 1976

P.O. # 1-2-2

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space reverse.

1. The following service is requested (check one.)
   - ☒ Show to whom and date delivered ¢
   - ☐ Show to whom, date and address of delivery ¢
   - ☐ RESTRICTED DELIVERY
   - Show to whom and date delivered ¢
   - ☐ RESTRICTED DELIVERY.
   - Show to whom, date, and address of delivery. $
   - (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO: Utah Dept. of Natural Resources, Utah Oil, Gas & Mining, 5511 S. 1385 E., Murray, Utah 84118

3. ARTICLE DESCRIPTION:
   REGISTERED NO. | CERTIFIED NO. 038738 | INSURED NO.
   (Always obtain signature of addressee or agent)
   I have received the article described above.
   SIGNATURE ☐ Addressee ☐ Authorized agent

4. DATE OF DELIVERY: 5/1/81

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

POSTMARK
5/1/81

CLERK'S INITIALS

GPO : 1979-288-848