



SCOTT M. MATHESON
Governor

OIL, GAS, AND MINING BOARD

GORDON E. HARMSTON
Executive Director,
NATURAL RESOURCES

STATE OF UTAH

CHARLES R. HENDERSON
Chairman

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF OIL, GAS, AND MINING

CLEON B. FEIGHT
Director

1588 West North Temple
Salt Lake City, Utah 84116
(801) 533-5771

JOHN L. BELL
C. RAY JUVELIN
THADIS W. BOX
MAXILIAN A. FARBMAN
EDWARD T. BECK
E. STEELE McINTYRE

June 12, 1981

4491143
CERTIFIED - RETURN RECEIPT REQUESTED

ACT/OES/07

Mr. Merrill Heward
Utah Power & Light Company
P.O. Box 899
Salt Lake City, Utah 84110

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

Dear Mr. Heward:

Enclosed you will find the proposed civil penalty assessment for this violation. The violation was cited by Division Inspector Joseph C. Helfrich on May 19, 1981.

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 Rule UMC/SMC 845.2 et. seq.

You may or may not request that the Division establish an assessment conference at this time. If no conference is requested by you within 30 days of your receipt of this letter the violation will be reassessed considering available facts and you will be required to pay the civil penalty as reassessed.

Should you decide to request an assessment conference you must do so in writing within 30 days of your receipt of this letter. Please specify in your request what the nature of your contest to the violation will include. For your ease in responding I have classified those contests as follows:

1. A contest of the amount of the assessment and not the fact of the violation(s) having occurred.
2. A contest of the facts of whether the violation(s) occurred.

Mr. Merrill Heward
June 12, 1981
Page Two

This classification has been made to enable the Division time to arrange for a court reporter to establish a record of the proceedings in contests of the facts of a violation.

My decision resulting from the assessment conference may be appealed to the Board in a more formal proceeding.

Sincerely,

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

RONALD W. DANIELS
ACTING ASSESSMENT OFFICER

RWD/te

ASSESSMENT WORKSHEET

NOV# N81-1-2-1

PERMIT# ACT/015/017

Name of Company Utah Power & Light Company

Violation # 1 of 1 POINTS

- 1. History of previous violations 0
- 2. Seriousness (either A or B)
 - A. (1) Probability of occurrence -
 - (2) Extent of potential or actual damage -
 - B. Obstruction to enforcement 12
 - Total Seriousness 12
- 3. Negligence 8
- 4. Good Faith (Will be considered after complete information is received) -15
- 5. Acreage -
- TOTAL POINTS 5
- ASSESSMENT \$ 50.00

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# N81-1-2-1

PERMIT# ACT/015/017

Name of Company Utah Power & Light Co./Church Mines

Violation # 1 of 1

History of previous violations:

Seriousness: (either A or B)

A. (1) Probability of occurrence:

(2) Extent of actual or potential damage:

B. Obstruction to enforcement:

The operator failed to have available or submit to the Division the monitoring reports for surface and groundwater. This action obstructed the inspector from determining if compliance was being achieved by the operator. 12 points.

Negligence: ORDINARY NEGLIGENCE

8 points.

Good Faith: WILL BE CONSIDERED AFTER COMPLETE INFORMATION IS RECEIVED

Acreage:

P22 4791143

PS Form 3800, Apr. 1976 Pro. Assmt. #N81-1-2-1, ACT/015/017

RECEIPT FOR CERTIFIED MAIL

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

Form with fields for 'SENT TO', 'STREET AND NO.', 'P.O. Box 899', 'Salt Lake City, UT 84110', 'POSTAGE', 'CERTIFIED FEE', 'SPECIAL DELIVERY', 'RESTRICTED DELIVERY', 'OPTIONAL SERVICES', 'TOTAL POSTAGE AND FEES', 'POSTMARK OR DATE', 'June 15, 1981'.

PS Form 3811, Apr. 1977 RETURN RECEIPT REGISTERED, INSURED AND CERTIFIED MAIL

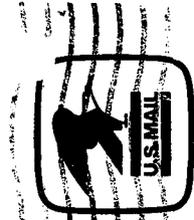
Main receipt form with sections: 1. The following service is requested (check one); 2. ARTICLE ADDRESSED TO: Merrill Heward Utah Power & Light Company; 3. ARTICLE DESCRIPTION: REGISTERED NO. 4791143; 4. DATE OF DELIVERY JUN 15 1981; 5. ADDRESS: Salt Lake City, Utah 84110; 6. UNABLE TO DELIVER BECAUSE: (with signature and postmark).

☆GPO: 1977 O-249-595

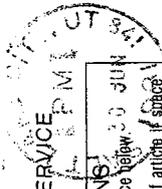
- 1. If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, 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 receipts is requested, check the applicable blocks in Item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

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

☆ GPO: 1979 302-878



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



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. Moisten gummed ends and attach to front of article if space permits. Otherwise affix to back of article. Endorse article "Return Receipt Requested" adjacent to number.



Division of Oil, Gas and Mining (Name of Sender) 1588 West North Temple (Street or P.O. Box) Salt Lake City, Utah 84116 (City, State, and ZIP Code)