

0003

File



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

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

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

November 24, 1982

*register to POS 7075362*

Chris Shingleton  
Utah Power & Light  
P.O. Box 399  
Salt Lake City, Utah 84110

RE: Finalized Assessment for  
State Violation

No. N81-4-1-1

*ACT/OIS/OT-018(a)-018(b)*

Dear Mr. Shingleton:

The civil penalty for the Violation No. N81-4-1-1, has been finalized in the amount shown in the attached assessment conference report. This assessment is finalized as a result of the meeting, discussion or letter described on the reassessment form.

Any appeal to the Board of Oil, Gas and Mining must be made in writing within thirty days of your receipt of this letter. Additionally, you must have escrowed the assessed civil penalties with the Division within thirty days of 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.

If no appeal or an untimely, improper appeal is made, the assessed civil penalties must be tendered to the Division within thirty days of your receipt of this letter.

Thank you for your cooperation.

Sincerely,

*RW Daniels*  
RONALD W. DANIELS  
ACTING ASSESSMENT  
OFFICER

RWD/lm

cc: Carolyn Driscoll, DOGM  
Joe Helfrich, DOGM  
Jodie Merriman, OSM, Albuquerque

ASSESSMENT CONFERENCE REPORT  
Utah Division of Oil, Gas & Mining  
1588 West North Temple  
Salt Lake City, Utah

NOV/CO No. N81-4-1-1

Location of Conference: Salt Lake City, Utah

Date of Conference: October 27, 1982

Company Name/Mine Name: Utah Power & Light/ Church, Wilberg, Deer Creek

<u>Persons in Attendance</u>	<u>Title</u>
<u>Chris Shingleton, Ralph Jerman</u>	<u>UP&amp;L</u>
<u>Joe Helfrich, David Lof</u>	<u>DOGM</u>
<u>Ronald W. Daniels</u>	<u>DOGM</u>

<u>Violation No.</u>	<u>Amount of Assessment As Revised</u>
<u>1 of 1</u>	<u>\$ 000.00</u>

Violation vacated. The operator is eligible for a refund in the amount of \$150.00, the full amount escrowed by check number 133195 on September 16, 1982.

Approved: *RW Daniels*  
(Signature of Conference Officer)

Date: 11/26/82

This assessment has been set as a result of an informal conference held by the assessment officer. Should the Company desire a review in a more formal proceeding before the Board of Oil, Gas & Mining, a hearing can be requested within 30 days of receipt of this report.

**ASSESSMENT CONFERENCE REPORT**  
(continued)

1. Notice of Violation/Cessation Order No. N82-4-1-1

Violation 1 of 1

- (a) Nature of violation: Failure to have water monitoring data available on the mine site.
- (b) Date of termination: \_\_\_\_\_

2. Conference Result	<u>Proposed Assessment</u>	<u>Conference Assessment</u>
(a) History/Prev. Vio.	<u>3</u>	<u>--</u>
(b) Seriousness	<u>--</u>	<u>--</u>
(1) Probability of Occurrence	<u>--</u>	<u>--</u>
Extent of Damage	<u>--</u>	<u>--</u>
(2) Obstr. to Enforcement	<u>12</u>	<u>--</u>
(c) Negligence	<u>10</u>	<u>--</u>
(d) Good Faith	<u>-10</u>	<u>--</u>
(e) Acreage	<u>--</u>	<u>--</u>
<b>TOTAL</b>	<u>15</u>	<u>Violation vacated</u>

3. Narrative:

**(Brief explanation of reasons for any changes made in assignment of points and any additional information that was presented at the conference.)**

The operator successfully demonstrated that he was not required by law, his permit, or the Division directive to have water monitoring data available at the minesite at the frequency required by the inspector. The operators NPDES permit and reporting records and his approved hydrologic monitoring plan flow data and water quality information reports were each in order. Thus the violation is vacated.