



0008

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

August 31, 1982

CERTIFIED RETURN RECEIPT REQUESTED

PO57075916

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

RE: Proposed Assessment for
State Violation No. N82-4-1-1
ACT/015/017

Dear Mr. Heward:

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 afore-referenced violation(s). The aforesaid violation(s) was issued by Division Inspector Dave Lof on the 22nd of January, 1982. 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 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.

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/mn

ASSESSMENT WORKSHEET

NOV# N82-4-1-1

PERMIT# ACT/015/017

Name of Company Utah Power & Light Company

Violation # 1 of 1 POINTS

- 1. History of previous violations 3
- 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 10
- 4. Good Faith (Will be considered after complete information is received) -10

TOTAL POINTS 15

ASSESSMENT \$ 150.00

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# N82-4-1-1

PERMIT# ACT/015/017

Name of Company Utah Power & Light Company

Violation # 1 of 1

History of previous violations: N81-6-1-2 eff, date =3/17/82 = 2 pts.

N81818281 eff. date = 8/30/82 = 1 pt.

Seriousness: (either A or B) Total - 3 Points

A. (1) Probability of occurrence:

(2) Extent of actual or potential damage:

B. Obstruction to enforcement: The violation, failure to have available water monitoring data for the inspector is deemed to have resulted in the inspector being unable to determine if a violation was occurring. 12 Points

Negligence: ORDINARY NEGLIGENCE 10 Points

Good Faith: WILL BE CONSIDERED AFTER COMPLETE INFORMATION IS RECEIVED 10 Points

ASSESSMENT WORKSHEET

NOV# N824-1-1
PERMIT# ACT/015/017

Please send prop. Assessment letter issued by [Signature] on 1/22/82.

Name of Company U.S. Power Flight

Violation # 1 of 1

POINTS

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

3

- A. (1) Probability of occurrence —
- (2) Extent of potential or actual damage ✓

B. Obstruction to enforcement 12

Total Seriousness 12

3. Negligence 10

4. Good Faith (Will be considered after complete information is received) -10

TOTAL POINTS 15

ASSESSMENT \$ 150⁰⁰

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 —

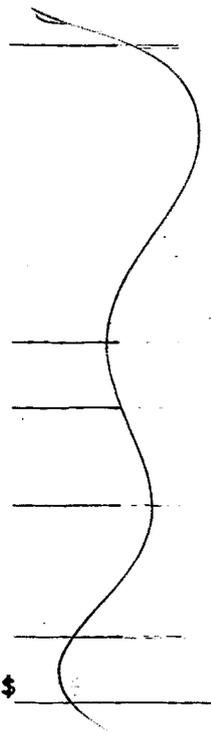
Total Seriousness —

3. Negligence —

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

TOTAL POINTS —

ASSESSMENT \$ —



ASSESSMENT EXPLANATION

NOV# N 82-4-1-1

PERMIT# ACT/015/017

Name of Company Utah Power & Light

Violation # 1 of 1

History of previous violations: N 81-6-1-2 eff date = 3/17/82 = 2 pts

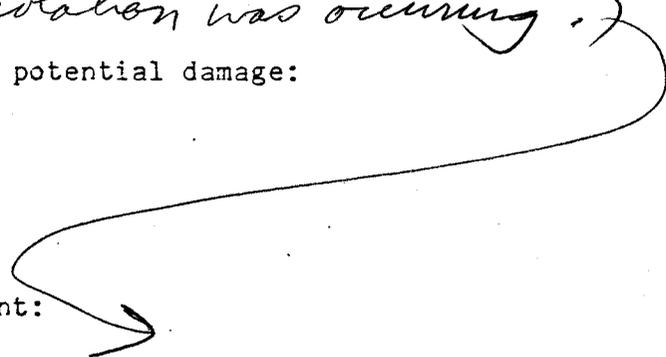
Seriousness: (either A or B) N 81-1-2-1 eff date = 8/30/82 = 1 pt

total = 3 pts

A. (1) Probability of occurrence: (The violation, failure to report available water monitoring data for the regulatory authority inspector is deemed to have resulted in the inspector being unable to determine if a violation was occurring.)

(2) Extent of actual or potential damage:

B. Obstruction to enforcement:



12 Pts.

Negligence: ORDINARY NEGLIGENCE → 10 Pts

Good Faith: WILL BE CONSIDERED AFTER COMPLETE INFORMATION IS RECEIVED

- 10 pts

P05 7075316

RECEIPT FOR CERTIFIED MAIL

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

Form with fields: SENT TO (Merrill Heward), STREET AND NO. (Utah Power & Light Co.), P.O. Box 899, P.O., STATE AND ZIP CODE (Salt Lake City, Utah 84110), POSTAGE, CERTIFIED FEE, SPECIAL DELIVERY, RESTRICTED DELIVERY, OPTIONAL SERVICES, RETURN RECEIPT SERVICE, TOTAL POSTAGE AND FEES, POSTMARK OR DATE.

PS Form 3811, Apr. 1976

Form with fields: SENDER (Complete items 1, 2, and 3), 1. The following service is requested (check one.), 2. ARTICLE ADDRESSED TO: Merrill Heward, Utah Power & Light Company, P.O. Box 899, Salt Lake City, Utah 84110, 3. ARTICLE DESCRIPTION: REGISTERED NO., CERTIFIED NO., INSURED NO., 4. DATE OF DELIVERY, 5. ADDRESS (Complete only if requested), 6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS.

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

GPO : 1979-288-848

Vertical handwritten text on the right edge of the page.

- 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 receipt is requested, check the applicable blocks in Item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

U.S. GOVERNMENT PRINTING OFFICE: 1978: 289-887

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