



0035

STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

File
Norman H. Bangerter, Governor
Dee C. Hansen, Executive Director
Dianne R. Nielson, Ph.D., Division Director

355 W. North Temple • 3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340

May 15, 1985

CERTIFIED RETURN RECEIPT REQUESTED
P 402 457 683

Mr. Chris Shingleton
Utah Power and Light
P O Box 899
Salt Lake City, Utah 84110

Dear Mr. Shingleton:

RE: Finalized Assessment for State Violation No's N84-2-22-1, N84-7-8-4
ACT/015/017, Folder # 8, Emery County, Utah

The civil penalty for the above referenced violation has been finalized. This assessment has been finalized as a result of a review of all pertinent data and facts which were not available on the date of the proposed assessment, due to the length of the abatement period.

Within fifteen (15) days of your receipt of this letter, you or your agent may make a written appeal to the Board of Oil, Gas and Mining. To do so, you must have escrowed the assessed civil penalty with the Division within a maximum of 30 days of receipt of this letter, but in all cases prior to the Board Hearing. Failure to comply with this requirement will result in a waiver of your right of further recourse.

If no timely appeal is made, this assessed civil penalty must be tendered within thirty (30) days of your receipt of this letter. Please remit payment to the Division and mail % Jan Brown at the above address.

Thank you for your cooperation.

Sincerely,

Mary Ann Wright
Mary Ann Wright
Assessment Officer

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cc: Donna Griffin, OSM Albuquerque Field Office
B. Roberts, Attorney Generals Office
9099Q

SUMMARY OF FINALIZED ASSESSMENT OF PENALTIES
 UTAH DIVISION OF OIL, GAS AND MINING
 355 West North Temple 3 Triad Center Suite 350
 Salt Lake City, Utah 84180-1203
 801-538-5340

COMPANY/MINE UP&L Des-Bee-Dove PERMIT # ACT/015/017

<u>VIOLATION</u>	<u>AMOUNT</u>
<u>N84-7-8-4</u>	
<u>1</u> OF <u>4</u>	<u>540</u>
<u>2</u> OF <u>4</u>	<u>280</u>
<u>3</u> OF <u>4</u>	<u>150</u>
<u>4</u> OF <u>4</u>	<u>vacated</u>
<u>N84-2-22-1</u>	
<u>1</u> OF <u>1</u>	<u>440</u>
<u> </u> OF <u> </u>	<u> </u>
<u> </u> OF <u> </u>	<u> </u>
<u> </u> OF <u> </u>	<u> </u>
TOTAL ASSESSED FINE	
	<u>\$ 1,410</u>

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WORKSHEET FOR FINAL ASSESSMENT OF PENALTIES
 UTAH DIVISION OF OIL, GAS AND MINING

COMPANY/MINE UP&L/Des-Bee-Dove NOV # N84-7-8-4
 PERMIT # ACT/015/017 VIOLATION 1 OF 4

Nature of violation: Erosion of bathhouse pad downslopes.

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Prev. Vio.	<u>1</u>	<u>1</u>
(2) Seriousness		
(a) Probability of Occurrence	<u>19</u>	<u>19</u>
Extent of Damage	<u>7</u>	<u>7</u>
(b) Hindrance to Enforcement	<u> </u>	<u> </u>
(3) Negligence	<u>10</u>	<u>10</u>
(4) Good Faith	<u>0</u>	<u>0</u>
TOTAL	<u>37</u>	<u>37</u>
	TOTAL ASSESSED FINE	<u>\$ 540</u>

3. Narrative:
 (Brief explanation for any changes made in assignment of points and any additional information that was available after the proposed assessment.)

Assessment Date May 15, 1985



 Assessment Officer Mary Ann Wright

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WORKSHEET FOR FINAL ASSESSMENT OF PENALTIES
UTAH DIVISION OF OIL, GAS AND MINING

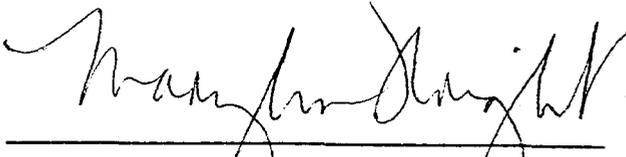
COMPANY/MINE UP&L/Des-Bee-Dove NOV # N84-7-8-4
 PERMIT # ACT/015/017 VIOLATION 2 OF 4

Nature of violation: Sediment control and drainage structures washed out in storm and not repaired for 11 months.

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Prev. Vio.	<u>1</u>	<u>1</u>
(2) Seriousness		
(a) Probability of Occurrence	<u>18</u>	<u>18</u>
Extent of Damage	<u>5</u>	<u>5</u>
(b) Hindrance to Enforcement	<u> </u>	<u> </u>
(3) Negligence	<u>0</u>	<u>0</u>
(4) Good Faith	<u>0</u>	<u>0</u>
TOTAL	<u>24</u>	<u>24</u>
	TOTAL ASSESSED FINE	<u>\$ 280</u>

3. Narrative:
 (Brief explanation for any changes made in assignment of points and any additional information that was available after the proposed assessment.)

Assessment Date May 15, 1985



 Assessment Officer Mary Ann Wright

WORKSHEET FOR FINAL ASSESSMENT OF PENALTIES
 UTAH DIVISION OF OIL, GAS AND MINING

COMPANY/MINE UP/L/Des-Bee-Dove NOV # N84-7-8-4
 PERMIT # ACT/015/017 VIOLATION 3 OF 4

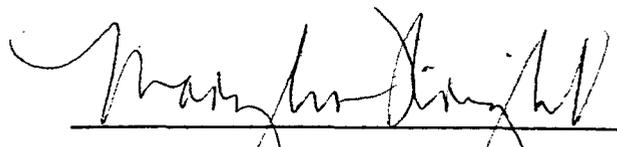
Nature of violation: Unprotected soil stockpile

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Prev. Vio.	<u>1</u>	<u>1</u>
(2) Seriousness		
(a) Probability of Occurrence	<u>2</u>	<u>2</u>
Extent of Damage	<u>8</u>	<u>8</u>
(b) Hindrance to Enforcement	<u> </u>	<u> </u>
(3) Negligence	<u>4</u>	<u>4</u>
(4) Good Faith	<u>-</u>	<u>0</u>
 TOTAL	 <u>15</u>	 <u>15</u>
	TOTAL ASSESSED FINE	<u>\$ 150</u>

3. Narrative:
 (Brief explanation for any changes made in assignment of points and any additional information that was available after the proposed assessment.)

Good faith points awarded. Per inspector's memo, work was completed at the time of his inspection on August 6, 1984. Work was due to be completed August 2, 1984. Assessed as normal compliance, easy abatement.

Assessment Date May 15, 1985



 Assessment Officer Mary Ann Wright

WORKSHEET FOR FINAL ASSESSMENT OF PENALTIES
 UTAH DIVISION OF OIL, GAS AND MINING

COMPANY/MINE UP&L/Church Mines NOV # N84-2-22-1
 PERMIT # ACT/015/017 VIOLATION 1 OF 1

Nature of violation: Severe erosion along road.

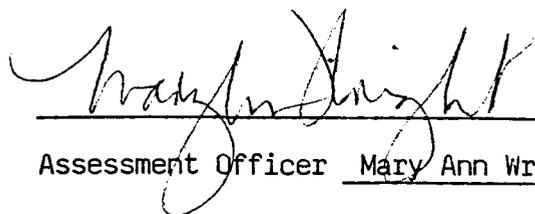
	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Prev. Vio.	<u>1</u>	<u>1</u>
(2) Seriousness		
(a) Probability of Occurrence	<u>16</u>	<u>16</u>
Extent of Damage	<u>14</u>	<u>14</u>
(b) Hindrance to Enforcement	<u> </u>	<u> </u>
(3) Negligence	<u>12</u>	<u>12</u>
(4) Good Faith	<u>-</u>	<u>-11</u>
 TOTAL	 <u>43</u>	 <u>32</u>
	TOTAL ASSESSED FINE	<u>\$ 440</u>

3. Narrative:
 (Brief explanation for any changes made in assignment of points and any additional information that was available after the proposed assessment.)

Good faith points applied as follows:

Per inspector, the NOV was terminated effective March 8, 1985 following an extension due to administrative delay. The operator obtained approval of their erosion control plans on March 7, 1985 from DOGM and actually began the abatement without the approval in order to complete the work by March 8, 1985. Considered difficult since plans needed approval. Assessed as using diligence.

Assessment Date May 15, 1985


 Assessment Officer Mary Ann Wright