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STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

Scott M. Matheson, Governor
Temple A. Reynolds, Executive Director
Dr. G. A. (Jim) Shirazi, Division Director

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

June 13, 1983

Mr. Dee W. Jense, Manager
Utah Power & Light Company
P.O. Box 899
Salt Lake City, Utah 84110

RE: Amended Finalized Assessment
for State Violation No.
N83-4-4-1
ACT/015/018A
Folder No. 8
Emery County, Utah

Dear Mr. Jense:

The civil penalty for the Violation No. N83-4-4-1, 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 fifteen (15) days of your receipt of this letter. Additionally, you must have escrowed the assessed civil penalties with the Division prior to the Board Hearing. 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 (30) days of your receipt of this letter.

Thank you for your cooperation.

Sincerely,

RONALD W. DANIELS
ACTING ASSESSMENT OFFICER

RWD/gb

Enclosure

cc: Jodie Merriman, OSM, Albuquerque
Joe Helfrich, DOGM
Barbara Roberts, Atty

AMENDED ASSESSMENT CONFERENCE REPORT
Utah Division of Oil, Gas & Mining
~~1588 West North Temple~~ 4241 State Office Building
Salt Lake City, Utah 84114

NOV/CO No. N83-4-4-1

Location of Conference: Salt Lake City, Utah
Date of Conference: May 23, 1983
Company Name/Mine Name: Utah Power & Light Company / Deer Creek Mine / ACT/015/018

<u>Persons in Attendance</u>	<u>Title</u>
<u>Don Dewey, Ralph Jerman</u>	<u>U.P. & L. Company</u>
<u>Chris Shingleton, Larry Guymon</u>	<u>U. P. & L Company</u>
<u>Dave Lof, Ron Daniels</u>	<u>DOGM</u>

<u>Violation No.</u>	<u>Amount of Assessment As Revised</u>
<u>1 of 1</u>	<u>\$ Violation Vacated</u>
<u>The operator is due a refund in the amount of \$260.00 by</u>	
<u>virtue of his having escrowed this amount by check #165865</u>	
<u>dated April 18, 1983.</u>	

Approved: *RW Daniels* (Signature of Conference Officer) Date: 6/13/83

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. N83-4-4-1

Violation 1 of 1

- (a) Nature of violation: Failure to dispose of excess spoil in an approved manner.
 (b) Date of termination: _____

2. Conference Result	Proposed Assessment	Conference Assessment
(a) History/Prev. Vio.	--	
(b) Seriousness		
(1) Probability of Occurrence	--	
Extent of Damage	--	
(2) Obstr. to Enforcement	12	
(c) Negligence	11	
(d) Good Faith	--	
(e) Acreage	--	
TOTAL	23	Violation Vacated

3. Narrative:

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

This violation is vacated based on the operator having placed the excess spoil in a controlled manner in accordance with previously approved plans.