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

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

routing
certified mail no.
P324 743 347
Scott M. Matheson, Governor
Temple A. Reynolds, Executive Director
Cleon B. Feight, Division Director

March 1, 1983

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

RE: Division error in reassessing
Deer Creek Mine
NOV N81-4-8-2
ACT/015/018A

Dear Mr. Heward:

The Division letter and finalized assessment dated February 18, 1983 for this violation was written in error. Please disregard that letter and finalized assessment.

A search of the Division's files shows that an assessment conference was held for this violation on March 3, 1982. The conference was combined with another violation for another mine.

Please consider the enclosed assessment conference report as the proper one for the above-referenced violation. I am sorry for the inconvenience which this may have caused you.

Sincerely,

RONALD W. DANIELS
ACTING ASSESSMENT OFFICER

RWD/gb

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

REVISED
This final assessment
supercedes the assessment
dated February 18, 1983.

NOV/80 No. N81-4-8-2

Location of Conference: Salt Lake City, Utah

Date of Conference: March 3, 1982

Company Name/Mine Name: Utah Power & Light Company / Deer Creek / ACT/015/018A

<u>Persons in Attendance</u>	<u>Title</u>
<u>Dave Lof, Joe Helfrich, Ron Daniels,</u>	<u>Division of Oil, Gas and Mining</u>
<u>Chris Shingleton, and Larry Guymon.</u>	<u>Utah Power & Light Company</u>

<u>Violation No.</u>	<u>Amount of Assessment As Revised</u>
<u>1 of 2</u>	<u>\$ 520.00</u>
<u>2 of 2</u>	<u>Vacated</u>
<u>TOTAL -</u>	<u>520.00</u>

Approved: *Donald W. Dennis* Date: 3/2/83
(Signature of Conference Officer)

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. N81-4-8-2

Violation 1 of 2

- (a) Nature of violation: Failure to prevent additional contribution
of suspended solids to streamflow.
- (b) Date of termination: May 28, 1982

2. Conference Result	Proposed Assessment	Conference Assessment
(a) History/Prev. Vio.	--	--
(b) Seriousness		
(1) Probability of Occurrence	12	12
Extent of Damage	16	16
(2) Obstr. to Enforcement	--	--
(c) Negligence	8	8
(d) Good Faith	--	--
(e) Acreage	--	--
TOTAL	36	36

3. Narrative:

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

ASSESSMENT CONFERENCE REPORT
(continued)

1. Notice of Violation/~~Cancellation~~ Order No. N81-4-8-2
 Violation 2 of 2
 (a) Nature of violation: Failure to minimize water pollution and erosion.
 (b) Date of termination: not applicable - Vacated

2. Conference Result	<u>Proposed Assessment</u>	<u>Conference Assessment</u>
(a) History/Prev. Vio.	--	
(b) Seriousness		
(1) Probability of Occurrence	7	
Extent of Damage	4	
(2) Obstr. to Enforcement	--	
(c) Negligence	11	
(d) Good Faith	--	
(e) Acreage	8	<u>Violation</u>
TOTAL	--	<u>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 in the assessment conference that the alleged events, water pollution and erosion of plant support material could not occur and further, that he had plans for a coal bin to be constructed on the area in question. The violation is vacated with the understanding by the operator that he will be subject to additional violations should runoff from this slope bypass the sediment pond.