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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

February 8, 1983

CERTIFIED RETURN RECEIPT REQUESTED

Mr. Ralph L. Jerman
Utah Power & Light Company
P.O. Box 899
Salt Lake City, Utah 84110

#8

RE: Proposed
Assessment for
State Violation
No. N83-4-1-1
ACT/015/018A

Dear Mr. Jerman:

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 David Lof on the 13th of January 1983. 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.

Mr. Ralph Jerman
ACT/015/018A
February 8, 1983
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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,



for
RONALD W. DANIELS
ACTING ASSESSMENT
OFFICER

RWD/lm

cc: Babara Roberts, A.G.'s Office
Joe Helfrich, DOGM
Jodie Merriman, OSM

ASSESSMENT WORKSHEET

NOV# N83-4-1-1

PERMIT# ACT/015/018a

Name of Company Utah Power & Light Company

Violation # 1 of 1

POINTS

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

2

- A. (1) Probability of occurrence 12
- (2) Extent of potential or actual damage 21

B. Obstruction to enforcement --

Total Seriousness 33

3. Negligence 8

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

TOTAL POINTS 43

ASSESSMENT \$ 720.00

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# N83-4-1-1

PERMIT# ACT/015/018a

Name of Company Utah Power & Light Company

Violation # 1 of 1

History of previous violations: N81-4-8-2 effective February 5, 1982 = 2 points

Seriousness: (either A or B)

A. (1) Probability of occurrence: The violation, failure to pass surface drainage from the disturbed area through a treatment facility before leaving the permit area is seemed likely to result in the event of water pollution.
12 points

(2) Extent of actual or potential damage:

Drainage, if it occurred, would extend off the permit area and would be of considerable magnitude. 21 points

B. Obstruction to enforcement:

Negligence: ORDINARY NEGLIGENCE

8 points

Good Faith: WILL BE CONSIDERED AFTER COMPLETE INFORMATION IS RECEIVED