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File

STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

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

December 30, 1987

CERTIFIED RETURN RECEIPT REQUESTED
P 001 771 576

Mr. Dee Jense
Utah Power and Light Company
P. O. Box 899
Salt Lake City, Utah 84654

Dear Mr. Jense:

Re: Finalized Assessment for State Violation No. N87-27-2-1, ACT/015/018, Folder #5, 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 including those presented in the assessment conference by you or your representative and the Division of Oil, Gas and Mining inspector.

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 thirty (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, mail % Vicki Bailey at the address listed above.

Thank you for your cooperation.

Sincerely,

Alan S. Bachman

Alan S. Bachman
Assessment Conference Officer

re
cc: John C. Kathmann, OSM AFO

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

COMPANY/MINE Utah Power & Light/Deer Creek Mine NOV # N87-27-2-1

PERMIT # ACT/015/018 VIOLATION 1 OF 1

Assessment Date 12-18-87 Assessment Officer Alan S. Bachman

Nature of violation: Mine water allegedly entered the undisturbed by-pass culvert.

Date of termination:

	Proposed Assessment	Final Assessment
(1) History/Prev. Vio.	0	0
(2) Seriousness		
(a) Probability of Occurrence	20	0
Extent of Damage	10	0
(b) Hindrance to Enforcement	30	0
(3) Negligence	5	0
(4) Good Faith	0	0
TOTAL	0	0
	TOTAL ASSESSED FINE	$

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

Assessment is hereby vacated. There is insufficient evidence that a violation actually occurred beyond a de minimus degree. Due to the reasonable actions of the company, a "violation" was actually prevented.

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