

0015



Norman H. Bangerter

Governor

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Executive Director

Dianne R. Nielson, Ph.D.

Division Director

# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

355 West North Temple

3 Triad Center, Suite 350

Salt Lake City, Utah 84180-1203

801-538-5340

*msc f.*

November 17, 1989

CERTIFIED RETURN RECEIPT REQUESTED  
P 075 063 228

Mr. David R. Smaldone, Director  
Utah Power and Light Company  
324 South State Street  
P. O. Box 26128  
Salt Lake City, Utah 84126-0128

Dear Mr. Smaldone:

Re: Finalized Assessment for State Violation No. N89-33-1-1, ACT/015/019, Folder #5, Emery County, Utah

The civil penalty for the above-referenced violation has been finalized. Please note that no fine has been assessed. 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. Failure to comply with this requirement will result in a waiver of your right of further recourse.

Thank you for your cooperation.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Barbara W. Roberts'.

Barbara W. Roberts  
Assessment Conference Officer

jb  
cc: John C. Kathmann, OSM, AFO  
MN37/30

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

COMPANY/MINE Utah Power & Light/Wilberg

NOV # N89-33-1-1

PERMIT # ACT/015/019

VIOLATION 1 OF 1

Assessment Date 11/17/89

Assessment Officer Barbara W. Roberts

Nature of Violation: Failure to comply with the approved plan. Failure to collect field water quality measurements.

Date of Termination: \_\_\_\_\_

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Prev. Violations	<u>2</u>	<u>N/A</u>
(2) Seriousness		
(a) Probability of Occurrence	<u>          </u>	<u>N/A</u>
Extent of Damage	<u>          </u>	<u>N/A</u>
(b) Hindrance to Enforcement	<u>10</u>	<u>N/A</u>
(3) Negligence	<u>25</u>	<u>N/A</u>
(4) Good Faith	<u>- 0</u>	<u>- N/A</u>
TOTAL	<u>32</u>	<u>0</u>
TOTAL ASSESSED FINE		<u>\$ - 0 -</u>

3. Narrative:

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

Violation vacated for the reason that the water quality data, which was the subject of this violation, was not required by the statute, rules or the permit.

jb  
MN34/32