



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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March 14, 1995

CERTIFIED RETURN RECEIPT REQUESTED
P 074 976 178

Val Payne, Sr. Environmental Engineer
PacifiCorp
P.O. Box 1005
Huntington, Utah 84528

Re: Finalized Assessment for State Violation #N94-25-1-1, PacifiCorp, Deer Creek Mine, ACT/015/018, Folder #5, Emery County, Utah

Dear Mr. *Payne*:

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 escrow 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 c/o Vicki Bailey at the address listed above.

Thank you for your cooperation.

Sincerely,

Ronald W. Daniels
Assessment Conference Officer

blb
Enclosure

cc: Donna Griffin, OSM, AFO



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RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL
(See Reverse)

PACIFICORP VAL PAYNE	
PO BOX 1005	
HUNTINGTON UT 84528	
P.O., State and ZIP Code	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered:	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date	00



Fold at line over top of envelope to the right of the return address.

PS Form 3800, June 1985

BB DQGM ACT/015/018 N94-25-1-1 FLD 5 3/10/95

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional service(s) requested.

1. Show to whom delivered, date, and addressee's address. 2. Restricted Delivery (Extra charge)

3. Article Addressed to: PACIFICORP VAL PAYNE PO BOX 1005 HUNTINGTON UT 84528

4. Article Number: P 074 976 178

Type of Service: Registered Insured Certified COD Express Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Address: *Val Payne*

6. Signature - Agent: *Val Payne*

7. Date of Delivery: MAR 20 1988

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

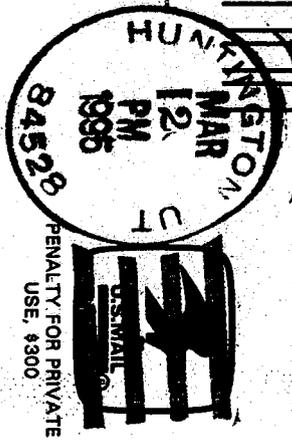
Print your name, address and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

RETURN TO

Print Sender's name, address, and ZIP Code in the space below.

DIVISION OF OIL GAS AND MINING
355 WEST NORTH TEMPLE
3 TRIAD CENTER STE 350
SALT LAKE CITY UT 84180



STICK POSTAGE STICKS TO ARTICLE TO COVER FIRST CLASS POSTAGE, CERTIFIED MAIL FEE, ADD-CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)

1. If you want this receipt postmarked, stick the gummed stick to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your retail carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stick to the right of the return address of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article RETURN RECEIPT REQUESTED adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse RESTRICTED DELIVERY on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

* U.S.G.P.O. 1988-217-1-32

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

COMPANY/MINE PacifiCorp/Deer Creek Mine

NOV #N94-25-1-1

PERMIT # ACT/015/018

VIOLATION 1 of 1

Assessment Date 3/10/95

Assessment Officer Ronald W. Daniels

Nature of Violation:

Failure to comply with all terms and conditions of the permit.

Date of Termination: 7/21/94

		<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1)	History/Previous Violations	<u>0</u>	<u>0</u>
(2)	Seriousness		
	(a) Probability of Occurrence	<u>0</u>	<u>0</u>
	Extent of Damage	<u>—</u>	<u>—</u>
	(b) Hindrance to Enforcement	<u>25</u>	<u>12</u>
(3)	Negligence	<u>30</u>	<u>22</u>
(4)	Good Faith	<u>-10</u>	<u>-10</u>
	Total Points	<u>45</u>	<u>24</u>
	TOTAL ASSESSED FINE		\$ <u>280.00</u>

NARRATIVE:

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

Hindrance to the inspector is judged to be less than that originally assigned to this violation. The violation was mailed by the Division and the compliance information was delivered by the operator on the same day.

Negligence is maintained in the "greater degree" category but points are reduced to mid range to show that "greater degree" negligence exists but to no greater or lesser extent than mid-level.

blb