

0012



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

Michael O. Leavitt
Governor
Ted Stewart
Executive Director
James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

June 11, 1996

CERTIFIED RETURN RECEIPT REQUESTED
P 074 979 418

Val Payne, Senior Environmental Engineer
Energy West
P.O. Box 310
Huntington Utah 84528

Re: Finalized Assessment for State Violation #N95-35-2-1, 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 penalties 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,

A handwritten signature in black ink that reads "Joseph C. Helfrick".

Joseph C. Helfrick
Assessment Conference Officer

blb
Enclosure
cc: James Fulton, OSM
H:I&E\final



P 074 979 418

INSURANCE COVERAGE PROVIDED

NOT FOR INTERNATIONAL MAIL

(See Reverse)

VAL PAYNE
ENERGY WEST
PO BOX 310
HUNTINGTON UT 84528

Sent to
 P.O., State and ZIP Code

Postage S

Certified Fee

Special Delivery Fee

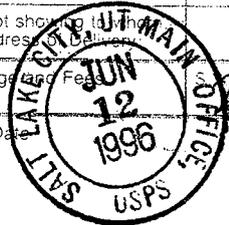
Restricted Delivery Fee

Return Receipt showing to whom and Date Delivered

Return Receipt showing Date and Address

TOTAL Postage and Fees 2.52

Postmark or Date



PS Form 3800, June 1985

BB DOGM ACT/015/018 FLD 5 6/11/96 N95-35-2-1

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

3. Article Addressed to: VAL PAYNE ENERGY WEST PO BOX 310 HUNTINGTON UT 84528

4. Article Number: P 074 979 418

5. Signature - Address: X

6. Signature - Agent: X

7. Date of delivery: JUN 12 1996

8. Addressee's Address (ONLY if requested and fee paid):

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

Always obtain signature of addressee or agent and DATE DELIVERED.

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 services requested.

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

1. If you want this receipt postmarked, check the numbered stub in the right of the return address leaving the frontal attached and place in the article at a post office service window or hand it to your retail carrier. (an extra charge)
2. If you do not want this receipt postmarked, check the numbered stub in the right of the return address of the article, date, detach card 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 numbered cards if space permits. Otherwise, affix to back of article. Enclose front of article in separate envelope if space permits. Attach to the number.
4. If you want delivery restricted to the addressee, or to an authorized addressee, address the restriction on the front of the article.
5. Fees for the services requested in the appropriate blocks 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.



UNITED STATES POSTAL SERVICE
 OFFICIAL BUSINESS



PENALTY FOR PRIVATE USE, \$300

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 & MINING
 1994 NORTH TEMPLE STE 1210
 BOX 145801
 SALT LAKE CITY UT 84114-5801

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

COMPANY/MINE Pacificorp/ Deer Creek Mine

NOV # N95-35-2-1

PERMIT# ACT/015/018

VIOLATION 1 OF 1

Assessment Date 06/11/96

Assessment Officer James W. Carter

Nature of Violation: Failure to comply with conditions of approved permit.

Date of Termination: 09/07/95

	<u>Proposed Assessment</u>	<u>Final Assessment</u>
(1) History/Previous Violations	—	—
(2) Seriousness		
(a) Probability of Occurrence	<u>20</u>	<u>20</u>
Extent of Damage	—	—
(b) Hindrance to Enforcement	—	—
(3) Negligence	<u>30</u>	<u>18</u>
(4) Good Faith	—	—
Total Points	<u>50</u>	<u>38</u>
TOTAL ASSESSED FINE		<u>\$560.00</u>

NARRATIVE:

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