



February 23, 2006

Division of Oil, Gas, and Mining
Coal Program
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, Utah 84114-5801

*Incoming
c/015/0018
Copy Mary Ann*

Subj Request for an Informal Hearing to Appeal Notice of Violation N06-39-1-1, PacifiCorp, Energy West Mining Company, Deer Creek Mine, C/015/018, Emery County, Utah

PacifiCorp, by and through its wholly-owned subsidiary, Energy West Mining Company (Energy West), hereby requests an informal public hearing to discuss the Notice of Violation that was served by the Division by mail on February 8, 2006.

The nature of the violation stemmed from the fact that the permittee failed to submit all required water quality information for the 3rd quarter of 2005 using the Division's web site within 90 days after the previous quarter. Five (5) sites were not available in the electronic water database: TW-10, HCC02, HCC04, DCWR1, and MFR-10. However, Energy West feels that there are inefficiencies in the processes that both the permittee and the Division follow that causes unnecessary violations to the R645 Coal Regulations.

Energy West will submit oral and written arguments and any other relevant information to the violation during the process of the informal public hearing. If you have any questions concerning this request, please contact me anytime at (435) 687-4720.

Sincerely,

Chuck Semborski
Geology and Permitting Manager

cc Doug Johnson (EWMC)
Scott Child (IMC)

FEB 27 2006

DIVISION OF OIL, GAS & MINING