

#4003

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TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

February 22, 2012

ORH

TO: Internal File

THRU: Ingrid Campbell, Team Lead *IC*

FROM: Angela Nance, Business Analyst *AN*

RE: Midterm Permit Review, PacifiCorp, Cottonwood/Wilberg Mine, C/015/0019, Task ID #4003

SUMMARY:

In accordance with R645-303-211, The Division is required to review each active permit during its term. The Division commenced the Midterm Review for the Cottonwood/Wilberg Mine on October 20, 2011. The Division identified some deficiencies for the Operator to address. The Operator submitted the response on January 31, 2012. This Technical Memorandum reviews the ownership and control information that was submitted in response to the deficiencies to ensure that it is current and correct as compared to the information found in the Applicant Violator System (AVS).

The findings in this memo are based on a review of the information submitted on January 31, 2012.

TECHNICAL MEMO

TECHNICAL ANALYSIS:

GENERAL CONTENTS

IDENTIFICATION OF INTERESTS

Regulatory Reference: 30 CFR 773.22; 30 CFR 778.13; R645-301-112

Analysis:

The following information was requested in accordance with **R645-301-112.330** to update the Ownership and Control section of the MRP:

PPW Holdings LLC

1. The following individuals show a Begin Date of 5/18/06 in the MRP. However, the AVS database shows these same individuals with a Begin Date of 3/15/06.
 - a. Steven R. Evans, Vice President
 - b. Wayne F. Irmiter, Vice President
 - c. Mitchell F. Ludwin, Vice President
 - d. James C. Galt, Assistant Treasurer

This discrepancy should be addressed by either correcting the MRP or providing a Secretary's Certificate to correct the AVS.

PacifiCorp

1. The AVS shows **Mark C. Moench as a Vice President and General Counsel with a Begin Date of 2/01/10**. This information is not in the MRP. *This discrepancy should be addressed by either correcting the MRP or providing a Secretary's Certificate to remove this information from the AVS.*

Findings:

The Operator provided an updated list of Officers and Directors. The information was forwarded with notes to the AVS Office on February 22, 2012 so that it can be updated in the Applicant Violator System.

RECOMMENDATION:

Final approval is recommended.