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Subject: Confidential Information

Here are the instruction for submitting confidential information. If you have any questions, please call or e-mail jerrianernstsen@utah.gov (801-538-5214) or sheilamorrison@utah.gov (801-538-5289).

All of the amendments should be submitted so that the confidential information from the current MRP's will be in the confidential files by June 1, 2005.

Thank you for your cooperation.

Pam

CC: Angela Nance; Jerriann Ernsten; Jim Smith; Joe Helfrich; Karl Houskeeper; Mark Mesch; Pete Hess; Priscilla Burton; Sheila Morrison; Steve Demczak; Steve Fluke; Wayne Hedberg

Guidance for Removal of Confidential Information from the Current MRP

There are three types of information that are controlled and not readily available to the public: Private, Protected and Confidential.

Private information (according to the Government Records Access Management Act [GRAMA] refers to personal information such as a social security number or tax identification number required for the ownership and control portion of the MRP.

Protected information under GRAMA refers to the location of historic, cultural or biological resources (i.e. raptor locations).

Confidential information in the Utah Coal Regulatory Program refers to the analysis of the physical and chemical properties of the coal to be mined, except information on components of such coal which are potentially toxic to the environment, and information on the nature and location of archeological resources on public and Indian lands as required under the Archeological Resources Protection Act of 1979 (cultural and historic information).

For the purposes of separating this information into a controlled area in the Public Information Center, - **Confidential**. It will be understood that the confidential information falls into one of these categories.

The process is as follows:

1. Submit one binder for each mine to be designated as the Confidential MRP.
2. Remove Confidential information in the form of an amendment.
3. Clearly mark all Confidential information.
 - For Legal and Financial Information, submit a chapter tab and **one** copy of the pages with the “Protected” information for the “Confidential” MRP binder. Submit the required number of copies with the Protected Information excluded for review.
 - For sensitive biological information such as specific locations of nests, dens, etc. (including subsidence maps with raptor nest locations) and information and maps of archeological sites, submit one reference page and appropriate chapter tabs for the information being removed from the current MRP.
3. Approval of the amendment:
 - A. SLO will pull confidential information from the current MRP and place in “Confidential” MRP Binders.
 - B. The submitted reference page will be placed in the MRP to indicate that the information is located in the “Confidential Binder”. In the case of legal and financial information, the information is a duplication with confidential information excluded.
 - C. PFO and other agencies will simply remove the information and shred it upon receipt of an approval letter and C1/C2 form. **The SLO will be the only agency to keep confidential information.**

NOTE: Other agencies may request confidential information from DOGM on an as-needed basis.