

0007



**State of Utah**

**Department of  
Natural Resources**

MICHAEL R. STYLER  
*Executive Director*

**Division of  
Oil, Gas & Mining**

JOHN R. BAZA  
*Division Director*

JON M. HUNTSMAN, JR.  
*Governor*

GARY R. HERBERT  
*Lieutenant Governor*

February 16, 2006

James Fulton, Chief  
Office of Surface Mining  
Western Regional Coordinating Center  
P.O. Box 46667  
Denver, Colorado. 80201-6667

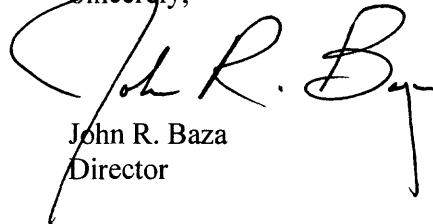
Subject: Proposed Formal Amendment UT-043-FOR, Withdrawal of One Part:  
R645-303-200- Permit Review, Change and Renewal

Dear Mr. Fulton:

By this letter, Utah is requesting withdrawal of one part of the proposed amendment. Utah is withdrawing the proposed change to section R645-303-200 - Permit Review, Change and Renewal. Through analysis and review, this rule change, while intended to be a clarification to the public reading the rules, has been found to conflict with state law. We understand that other states have previously dealt with this issue by a change in their state statute. Until Utah can undertake and complete a statute change, please do not process this amendment further.

Should you have questions, please have them contact Pam Grubaugh-Littig, Permit Supervisor at (801) 538-5268, or Mary Ann Wright, Associate Director, Mining at (801) 538-5306.

Sincerely,



John R. Baza  
Director

P:\GROUPS\MINES\WP\OSM\rule withdrawal206.doc