

0011



JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

State of Utah
DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil Gas and Mining

JOHN R. BAZA
Division Director

JK

General
Interagency

September 7, 2007

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

Subject: Appended Comments to OSM- Utah EY07, Annual Evaluation Summary Report: July 1, 2006 through June 30, 2007

Dear Mr. Fulton:

Please append this letter to Utah's Annual Evaluation Summary Report for Evaluation Year 2007. Please note that Utah is asking for a response from OSM on Comment #4.

Comment #1. Table 2 in the report does not provide a full picture of Utah's Coal mine permitting work. This table calls for Permitted Acreage but allows under the Reg-8 instructions that only the disturbed acreage is reported. This fundamental discrepancy affects about nine (9) primacy states, including Utah. Reg-8 should be changed to accommodate how different states conduct their programs under SMCRA.

Comment #2. For Table 3, Utah has gone ahead and reported all the acreage that was added onto permits in EY07, which was 7,591 acres. The Utah Coal Regulatory Program analyzed the surface impacts from underground mining in the process of permitting the new coal leases that were added onto permits.

Comment #3. Table 8 should reflect the overmatch that states have been making since OSM's funding has gone flat over the last several years.

Comment #4. Utah requests that OSM prepare "State-specific data on the projected costs of inspection and enforcement and administration under a federal program in the absence of a Cooperative Agreement" for the state of Utah, as stated in the Federal Assistance Manual at 3-10-30.

Should you have questions, please contact Susan White, Evaluation Team Co-lead at (801) 538-5258, or myself at (801) 538-5306.

Sincerely,

Mary Ann Wright
Associate Director, Mining

O:\Evaluation\Annual Reports\2007\EY07appended comments.doc

