



United States Department of the Interior

OFFICE OF SURFACE MINING
 Reclamation and Enforcement
 Western Region Office
 1999 Broadway, Suite 3320
 Denver, CO 80202-3050



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 CC: Dana D
 John
 Baza

November 20, 2009

John Baza, Director
 Utah Division of Oil, Gas and Mining
 P.O. Box 145801
 Salt Lake City, Utah 84114-5801

Dear Mr. Baza:

The Office of Surface Mining Reclamation and Enforcement (OSM) notified you by letter dated September 10, 2009, that pursuant to 30 CFR 884.15(b) the recent changes to the Surface Mining Control and Reclamation Act of 1977 (SMCRA) and its implementing regulations may require you to amend your State reclamation plan. OSM regulation 30 CFR 884.15(e) requires that if it is determined a State reclamation plan must be amended a reasonable timetable must be established in consultation with the State or Tribe.

During the recent annual meeting of the National Association of Abandoned Mine Land Programs in Arkansas there was a lively discussion about the notice received and the scope of the program revisions. OSM agrees that there is sufficient confusion on what is required and when it is due, therefore, the 884 process is being delayed. A prototype program amendment will be prepared that States and Tribes can use as a template or guide if they choose. It is expected that a new 884 letter with prototype will be ready for mailing in late December 2009 and will include new timeframes for submission of your State's plan.

If you are already revising your program you may continue. OSM's decision to delay the 884 process is not based on a reconsideration of the decision to require program amendments but the recognition that additional information and a prototype amendment would benefit the process. If you need additional information or wish to discuss this further, please contact Jeff Fleischman at 307-261-6550.

Sincerely,

Allen D. Klein
 Director, Western Region

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