

From: Steve Schneider
To: Denise Dragoo; John Kirkham; Todd Bingham
Date: 9/1/2009 10:09 AM
Subject: OSM Final Rule 9/1/2009: UMA Rules Request

CC: Dana Dean; Daron Haddock; Doug Johnson; John Baza
Todd B., Denise D., John K.,

After an extended evaluation period of one year within the federal Solicitor's Office, the Final Rule was published today in the Federal Register pertaining to the three Utah coal rule topics which the UMA and DOGM pursued with the Board of OG&M. Therefore, the Office of Surface Mining has now approved the state rule changes on the topics of sealing of wells, catchall statements, and intermittent stream, as no less effective than the federal requirements.

To refresh our memory and to bring Mr. Bingham up to speed, the original request for rulemaking from the UMA was on November 26, 2006. The informal rulemaking phase with various stakeholders encompassed most of 2007. The BOGM formally approved the state rule changes on March 26, 2008 and the rules were published in the State Bulletin as final on April 15, 2008. DOGM submitted a formal program amendment to OSM on May 28, 2008 and OSM published the proposed rules on June 24, 2008 for public comment. OSM published the final rule on Sept. 1, 2009.

Here is the link to the Federal Register, 74 FR 45116:

<http://frwebgate1.access.gpo.gov/cgi-bin/PDFgate.cgi?WAISdocID=819407140801+1+2+0&WAIAction=retrieve>

Thanks to everyone for their participation along the way.

Steve Schneider
Admin. Coordinator
Utah Div. Oil, Gas & Mining
801-538-5328