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# State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

## Division of Oil, Gas and Mining

JOHN R. BAZA  
Division Director

November 24, 2009

James Fulton  
Office of Surface Mining  
PO Box 46667  
Denver, CO 80201

Re: Response to October 2, 2009 Letter on "Ownership and Control" for Coal Program

Dear Mr. Fulton:

This letter is written in response to the October 2, 2009 letter from Allen Klein concerning "ownership and control" regulations pertaining to the Coal Regulatory Program. In response to OSM's request for a plan for rule amendments in response to the revised federal regulations, the following proposed timetable by our Division is provided:

Action

Staff commence drafting of rule amendments  
Staff present topic for informal process at Board Briefing  
Staff continue rule drafts and informal reviews with OSM  
Update Board and distribute informally for comment  
Complete informal rulemaking process  
Conduct formal rulemaking process with Board  
Submit formal program amendment to OSM

Dates

Dec. 1 - Jan. 26, 2010  
January 27, 2010  
Jan. 27 - June 30, 2010  
July 28, 2010  
October 31, 2010  
Nov. 1 - Feb. 28, 2011  
April 15, 2011

The Division will strive to meet this timetable, but we recognize that requests for additional time by parties to further analyze and comment could also occur. If there are any questions, please contact Steve Schneider at [steveschneider@utah.gov](mailto:steveschneider@utah.gov) or 801-538-5328.

Sincerely,

John R. Baza  
Director

JRB/SLS/mtb  
cc: Dana Dean  
Daron Haddock

