



GARY R. HERBERT
Governor

GREG BELL
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

August 9, 2010

James Fulton
Denver Field Division
Office of Surface Mining
P.O. Box 46667
Denver, CO 80201-6667

Subject: Formal Program Amendment Pertaining to the Utah Coal Rules: Valid Existing Rights

Dear Mr. Fulton:

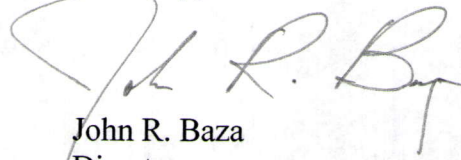
In accordance with 30 CFR 732.17, the Utah Division of Oil, Gas & Mining hereby submits a formal program amendment to the Office of Surface Mining in conjunction with modifications made to state rules for Utah's Coal Regulatory Program. These rule amendments were prepared in response to your office's request by letter dated February 1, 2008 on "valid existing rights."

Your office has previously informally reviewed these modifications, and we appreciate your input into the informal rulemaking process via your communications dated June 5, 2009, November 30, 2009, December 14, 2009, and March 5, 2010. The Division also conducted a formal state rulemaking process with our Board which provided additional opportunity for public comment, and the rule amendments were approved by the Board of Oil, Gas & Mining on July 28, 2010.

Enclosed are the rule amendments in underline/strike-out format including the federal regulation citation for each rule change. Also enclosed is a letter from our Attorney General's Office regarding the amendments not conflicting with existing state laws or regulations.

If there are any questions, please contact Steve Schneider at steveschneider@utah.gov or 801-538-5328.

Sincerely,



John R. Baza
Director

JRB/SLS/jac
Enclosures