



JON M. HUNTSMAN, JR.  
*Governor*

GARY R. HERBERT  
*Lieutenant Governor*

**State of Utah**  
**DEPARTMENT OF NATURAL RESOURCES**  
**Division of Oil, Gas & Mining**

MICHAEL R. STYLER  
*Executive Director*

JOHN R. BAZA  
*Division Director*

October 19, 2010

General  
OK

Larry Svoboda  
Director, NEPA Program  
Office of Environmental Protection and Remediation  
United States Environmental Protection Agency  
Region 8  
1595 Wynkoop St.  
Denver, Colorado 80202-1129

Re: Suggestions for Utah Coal Program Evaluation Topics

Dear Mr. Svoboda:

Thank you for providing comments in response to our May 26, 2010, letter regarding the evaluation process for the Utah Division of Oil, Gas & Mining (DOG M). Your input is appreciated.

As stated in your letter, EPA is concerned with unmitigated methane emissions associated with Utah coal mining projects. You further explain that methane associated with coal seams and surrounding rock is liberated during the mining process as well as the subsequent fracturing of the overburden. You state that, typically, underground coal mining projects would include a ventilation system and gob vent boreholes to release methane emissions directly to the atmosphere. After providing this background information, you recommend that DOGM and OSM consider actions the agencies could take to legally capture the methane. You continue that future annual reports could disclose the projected annual and total project lifetime cumulative greenhouse gas (GHG) emissions, in CO<sup>2</sup> equivalent terms, for the methane emissions associated with the mining of federal or state coal and any adjacent private coal, as well as any other related direct or indirect GHG emissions. Lastly, you suggest that it may be helpful to translate the GHG emissions into equivalencies that are easily understood from the public standpoint and to provide a comparison to GHG emissions from other similar proposals or actions; and to provide a comparison of Utah's annual emissions to annual emissions at western regional, national, and global scales.

We fully understand your concerns regarding methane emissions associated with coal mining operations in Utah and acknowledge the suggestions expressed in your letter. However, our evaluation process is limited to the regulation of coal mining in Utah as directed by the Surface Mining Control and Reclamation Act of 1977 (SMCRA). Additionally, the State of Utah entered into a Cooperative Agreement with the Office of Surface Mining and has primacy for the regulation of surface coal mining and reclamation operations on both Federal and State lands. Consequently, we are unable to address your concerns as part of the evaluation process for the Utah Coal Program as the monitoring and capture of GHG emissions is beyond the scope

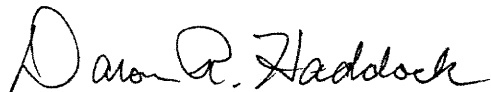
Page 2  
Larry Svoboda  
October 19, 2010

of SMCRA and does not fall within DOGM's jurisdiction. Nevertheless, we appreciate you bringing them to our attention.

We should point out that there have been efforts to capture methane at some of the mines in Utah. These activities have been primarily voluntary through cooperative efforts between the mines and gas producers and typically occur where the economics are favorable and the infrastructure is already in place. We certainly encourage these types of arrangements, but they are strictly voluntary and are not part of the Utah Coal Program. Another thing that should also be pointed out is that the ventilation of mines relates to the safety of the miners which is under the purview of the Mine Safety and Health Administration.

Thank you once again for commenting on the DOGM evaluation process, and please don't hesitate to contact us if additional issues arise.

Sincerely,



Daron Haddock  
Utah Division of Oil, Gas and Mining  
1594 West North Temple, Suite 1210  
P.O. Box 145801  
Salt Lake City, Utah 84114-5801



Howard Strand  
Office of Surface Mining  
Denver Field Division  
1999 Broadway, Suite 3320  
Denver, Colorado 80202-5733