

## OGMCOAL - exploration on private

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**From:** Daron Haddock  
**To:** Ranch2u@frontiernet.net  
**Date:** 4/17/2012 11:19 AM  
**Subject:** exploration on private  
**CC:** OGMCOAL; Priscilla Burton  
**Attachments:** exploration on private.docx

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Rex Anderson  
San Juan County  
Hi Rex,

I enjoyed speaking with you this morning regarding your proposed exploration project. From your description, it sounds like what you are wanting to do would be exempt from regulation under our program. Extraction of less than 250 tons of coal for your own noncommercial use is exempt from regulation. The best way to be certain, however, is to file a notice of intent which the Division can review and verify that your project would indeed be exempt. I have attached to this email a list of the pertinent rules that talk about the exemption and the requirements of a notice of intent. Once you fill out a notice of intent (there is no specific form) and send it in, we will be able to review it and let you know if anything else would need to be done. Thanks for your help.  
Sincerely,

Daron R. Haddock  
Coal Program Manager  
Utah Division of Oil, Gas & Mining  
(801) 538-5325

**R645-100-300. Responsibility.**

310. The Division is responsible for the regulation of coal mining and reclamation operations and coal exploration under the approved State Program on non-federal and non-Indian lands in accordance with the procedures in the R645 Rules.

320. The Division, through a cooperative agreement, exercises certain authority relating to the regulation of coal mining and reclamation operations on federal lands in accordance with 30 CFR Part 745.

**R645-100-400. Applicability.**

410. Except as provided under R645-100-420, the R645 Rules apply to all coal exploration and coal mining and reclamation operations, except:

411. The extraction of coal by a landowner for his or her own noncommercial use from land owned or leased by him or her. Noncommercial use does not include the extraction of coal by one unit of an integrated company or other business or nonprofit entity which uses the coal in its own manufacturing or power plants;

412. The extraction of 250 tons of coal or less by a person conducting coal mining and reclamation operations. A person who intends to remove more than 250 tons is not exempted;

413. The extraction of coal as an incidental part of federal, state or local government-financed highway or other construction in accordance with R645-102.

414. The extraction of coal incidental to the extraction of other minerals where coal does not exceed 16-2/3 percent of the mineral tonnage removed for commercial use or sale in accordance with R645-106; or

415. Coal exploration on lands subject to the requirements of 43 CFR Parts 3480-3487.

**R645-201-200. Notices of Intention to Conduct Minor Coal Exploration.**

210. Notices of Intention to Conduct Minor Coal Exploration when 250 tons or less of coal will be removed will require Division review prior to conducting exploration except where exploration is planned to be conducted on lands designated unsuitable for surface coal mining operations under R645-103; exploration on these lands designated as unsuitable will be subject to the requirements of R645-201-300.

220. Notices of Intention to Conduct Minor Coal Exploration will include:

221. The name, address and telephone number of the applicant seeking to explore;

222. The name, address and telephone number of the applicant's representative who will be present at, and responsible for conducting the exploration operations;

223. A narrative and map describing the exploration area and indicating where exploration will occur;

224. A statement of the period of intended exploration; and

225. A description of the method of exploration to be used, the amount of coal to be removed and the practices that will be followed to protect the area from adverse impacts of the exploration activities and to reclaim the area in accordance with the applicable requirements of R645-202.