



STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

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February 15, 1985

Mr. Mel Schilling
Office of Surface Mining
Western Technical Center
Brooks Towers
1020 Fifteenth Street
Denver, Colorado 80202

Dear Mr. *Mel* Schilling:

RE: Proposed Coal Exploration, Valley Camp of Utah, Inc.,
Federal Coal Lease No. U-017354, CEP/007/001, Carbon
County, Utah

On January 15, 1985, the Division received a copy of an approved application for coal exploration from Mr. Walt Swain of your office. The original application was submitted to the Bureau of Land Management (BLM) and U. S. Forest Service (USFS) by Valley Camp of Utah, Inc., to conduct exploration activities within their approved SMCRA permit area.

The Division has reviewed this information and concurs with the approvals and conditions attached to the notice by the USFS and the BLM. The Division requests a copy of the same information requested by both agencies for our files. It is our understanding that this application was originally received by the BLM on August 13, 1984.

If the exploration proposal has not yet been implemented, then Valley Camp should be reminded to please provide a notice to the Division when coal exploration activities are proposed within the permit area (unless previously approved in the PAP). This will help keep the Division current with ongoing mine-related activities and hopefully avoid any potential Inspection and Enforcement conflicts or concerns.

The Division is concerned about the circumstances under which the state will be consulted and/or notified by the OSM, USFS or BLM when an operator is proposing an exploration program within the SMCRA permit area.

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It was our understanding that the draft "Working Agreement" between the BLM, USFS, OSM and DOGM which was pending finalization would have been forthcoming by now. Has the "draft" document been rejected pending formal decisions in Washington, D. C.?

In the absence of a formal working agreement, there are several pertinent concerns on exploration projects. Is it OSM's intent to assume lead agency responsibility for review of coal exploration applications within the approved SMCRA permit area? Should DOGM be concerned with lead review authority only for coal exploration proposals on state permitted mines?

Perhaps all of the involved agencies should assemble once again to work out an acceptable interim solution to resolve the confusion and permitting overlap between agencies.

Not only would an interim solution help shorten the time frame required for approval of an application, but it will also guide an operator into how, when and where an application should be filed.

The Division awaits the requested information and your decision and response to these concerns. Please feel free to contact me or D. Wayne Hedberg of the permitting staff.

Sincerely,



Ronald W. Daniels
Associate Director for Mining

DWH/btb
cc: Robert Hagen
Walt Swain
Gene Nodine
Reed Christensen
Vaughn Francis
Dianne Nielson
Mary Boucek
Joe Helfrich
Dave Hooper
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