

From: Mary Ann Wright
To: Steve Bloch
Date: 5/23/2006 5:15:49 PM
Subject: request for guidance on 'what is a record?'

Steve -

In response to your letter of May 22, 2006 and per our phone discussion today, I am sending you this link to the Utah AG's office for the guidance which was used to train the OGM Mining personnel in 2004. The training was conducted by an Assistant AG on what to retain as a record for our files.

<http://attorneygeneral.utah.gov/grama/GRAMAHandbook&Appendix2005.pdf>

Also, in direct response to items in your letter:

1. Wayne H. and I met with the Coal Program team assigned to Horse Canyon Mine and confirmed that the discussions with UEI have been primarily verbal (phone, face to face in field, meetings), and that all discussions have been a repeat of the latest deficiency letter which was sent by OGM to UEI last year, 2005.
2. All of the "additional submissions by UEI that are not in the incoming file..." are in fact, as we confirmed with you on the phone, in the files for 2006.
3. It is true that there are few records of "...DOGM internal staff discussions regarding these submissions..." since we do not place verbal interchanges in the files. There are some emails in regard to cultural information.
4. It is true that there is no "...record of correspondence with UEI (presumably some form of deficiency letter) concerning the same." See item number 1.
5. OGM also does not send correspondence to each operator upon receipt of a submission. We receive items from the coal operators almost daily and merely stamp them in and assign a task number for a team to review. And,
6. The OGM PIC does in fact maintain an ongoing index of all incoming, outgoing, and internal records and the date they were received by the Division. Perhaps you did not realize it, but those indices are on the left hand side of each file. The date-stamped numbers on the documents correspond to the numbers on the index.

Hopefully, these items answer your questions and concerns about 'missing' records. There are none that are missing.

CC: Dana Dean; John Baza; Keli Beard; Pam Grubaugh-Littig; Sheila Morrison; Steve Alder; Wayne Hedberg; Wayne Western