0050

STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

Scott M. Matheson, Governor
Temple A. Reynolds, Executive Director
Dr. G. A. (Jim) Shirazi, Division Director

4241 State Office Building • Salt Lake City, UT 84114 • 801-533-5771

June 13, 1983

Mr. Ron Hughes
Consolidation Coal Company
#2 Inverness Drive East
Englewood, Colorado 80112

Re: Emery Deep Mine
ACT/015/015
Folder No. 2
Emery County, Utah

Dear Mr. Hughes:

The Utah State Regulatory Program, approved January 21, 1981, required that all existing mines file an application for a permit within two months of the program approval date. All applications were to have been acted upon within eight months (September 21, 1981) of the program approval date; however, an administrative delay provision within the Utah Program allowed continued operations during extended permit application review.

It is now 20 months after the date by which all permits were to have been approved, and the Office of Surface Mining (OSM) is requiring that a decision be made on your permit. OSM plans to make a decision on your permit application in March 1984. This decision will be made in accordance with the written findings of compliance requirements of UMC 786.19. These findings can be made only on the basis of a complete application, and cannot be addressed through the use of permit stipulations. Therefore, it is essential that you respond to any deficiencies found during the review of your application within the time period stated in the deficiency letter.

While the Utah Division of Oil, Gas and Mining (UDOGM) will retain the lead agency role in reviewing your application for a permit, OSM remains the regulatory authority on Federal lands in Utah until a cooperative agreement has been finalized. Until then, OSM will continue to issue permits on Federal lands. Once the regulatory authority has made a decision on your permit application, your authorization to continue operation under administrative

delay is ended. This means that in order to approve your permit application, we must have the information necessary to make all of the required findings on schedule.

Please work with us to assure a timely decision on your permit application. If you have any questions, please contact Jim Smith of UDOGM (801) 533-5771 or Steve Manger of OSM (303) 837-5421.

Sincerely,

Dr. G. A. (Jim) Shirazi
Director

Allen D. Klein, Administrator
Western Technical Center
Office of Surface Mining