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February 6, 1981

ACT/015/018A

Mr. Larry Guymon
Emery Mining Corporation
P.O. Box 310
Huntington, Utah 84528

Dear Mr. Guymon:

The Division of Oil, Gas and Mining is pleased to announce that the Secretary of the Interior has granted approval to the State of Utah's permanent program to regulate coal mining operations on fee, state, and federal lands within its boundaries. This approval, with the list of conditions relative to the approval, was published in the Federal Register on January 21, 1981. That date is the effective date for the institution of the permanent program in Utah. In accordance with Section 771.21 of the Regulations Pertaining to Surface Effects of Underground Coal Mining Activities promulgated under the Utah Coal Mining and Reclamation Act, Chapter 10 of Title 40, Utah Code Annotated 1953, all operators of coal mines within the State must file a complete application for a permit to mine no later than two months after this approval date. The date of consequence becomes March 23, 1981.

It is the Division's judgement that all of the conditions will be satisfied within the required time frames and that the responsibilities between the Office of Surface Mining and the Division will be satisfactorily defined in the new Cooperative Agreement to be executed in the very near future. Presently, the Cooperative Agreement between the Office of Surface Mining and the Division under the interim program is in effect. As you know, we are attempting to develop an efficient system which will benefit all of us who are involved.

Enclosed you will find a copy of the Division's Permit Application Guidelines for Organizational Format and Content and a copy of the U.S. Geological Survey's Coal Mine Plan Check List. Utilizing these two items will be very beneficial in the preparation of your Mining and Reclamation Plan and facilitate the review process by the various State and federal agencies.

Thirteen (13) copies of the Mining and Reclamation Plan Permit Application are required to be submitted, six (6) copies for the Division and (7) copies for the Office of Surface Mining. The application should be submitted to the Division of Oil, Gas and Mining accompanied by a $5.00 application fee. Copies of the application may be forwarded directly to the Office of Surface Mining to avoid delays in handling.

Please be reminded, also, that the permanent program performance standards, Section 817 et. seq., are now in effect regarding inspections and enforcement procedures.

If you would like a copy of the approval and conditions please let us know and we will be more than happy to forward a copy to you.

Sincerely,

Cleon B Feight

CLEON B. FEIGHT
DIRECTOR

CBF/te