



## State of Utah

Department of  
Natural ResourcesROBERT L. MORGAN  
*Executive Director*Division of  
Oil, Gas & MiningLOWELL P. BRAXTON  
*Division Director*OLENE S. WALKER  
*Governor*GAYLE F. McKEACHNIE  
*Lieutenant Governor*

April 7, 2004

Joel Ban, Wildlaw Southwest Attorney  
Utah Environmental Congress  
1817 Main Street Suite 10  
Salt Lake City, Utah 84115

File in:  
C/0150018.2004. Outgoing  
Refer to:  
 Confidential  
 Shelf  
 Expandable  
Date: 04072004 For additional information

Re: GRAMA request for Deer Creek Mine, North Rilda Canyon Facility,  
C/015/0018, Outgoing File

Dear Mr. Ban:

The Division is in receipt of your request for documents concerning the proposed Rilda Canyon facility. Your request includes:

1. Studies and reports on the project's details
2. Any environmental analysis documents
3. Geologic or other resource surveys
4. Meeting reports or meeting minutes
5. Written reports of communication relevant to the project, hard copy or emails
6. Documents, notes or minutes that relate to the 3/22 & 23 meeting

The statute requires:

63-2-204. Requests -- Time limit for response and extraordinary circumstances.

(3) (a) As soon as reasonably possible, but no later than ten business days after receiving a written request, or five business days after receiving a written request if the requester demonstrates that expedited response to the record request benefits the public rather than the person, the governmental entity shall respond to the request by:

- (i) approving the request and providing the record;
- (ii) denying the request;
- (iii) notifying the requester that it does not maintain the record and providing, if known, the name and address of the governmental entity that does maintain the record; or

In response, OGM is approving the request by providing the record(s) on a CD. This action moots your request for a copying cost waiver. UEC will be able to print or download any and all documents from the CD. Our process of making all documents electronic, as we file them, enables us to do this. We are providing years 2003 (this is the year the first submittal on North Rilda was received in our offices), and to-date 2004 files. You will see folders for 2000, 2001, 2002, but we have not scanned in documents for these years. Those records are available in our offices in hard copy if needed. Also, please understand that the documents on this CD

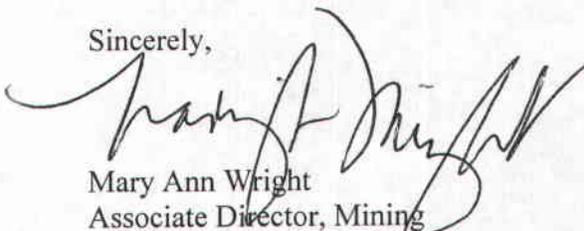
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represent a 'snapshot in time' since 1) the SMCRA permitting is still in process; and 2) the NEPA process is in its early planning stages.

Specifically, OGM is providing the following records in response to UEC's request.

- Items # 1 & 3 are considered by OGM to be in the same place; that is, they are part of the permit application for the Rilda proposal, which is found in the 2003 file, Incoming. Maps are in a separate file from the application and we do not have these electronically. We have requested a disk from Energy West Mining Company and we will forward that to you when it arrives. Archeological site data and raptor nest locations (maps) are protected files and will not be included (see §304(26)).
- Item # 2 is being provided in a separate "1994 EA" file on the CD. OGM obtained a copy and scanned it.
- Item #4, the Division does not regularly develop or file meeting reports or meeting minutes for preliminary or working meetings, so you may not find such in OGM files. However, some meeting agendas are placed in the Internal file.
- Item #5 is located in our files in: Incoming, Outgoing, Internal files by year.
- Item #6. While you may find some documents in OGM files pertaining to NEPA planning meetings, please be advised that OSM is keeping the official NEPA Administrative Record in Denver. Their address is: Mr. Bob Block, Physical Scientist, Program Support Division, Office of Surface Mining, P.O. Box 46667, Denver, CO 80201-6667.

Sincerely,



Mary Ann Wright  
Associate Director, Mining

Enclosure: CD  
cc: Vicky Dyson  
Steve Alder  
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