

September 21, 1993

**TO:** File

**THROUGH:** Daron Haddock, Permit Supervisor

**FROM:** James D. Smith, Reclamation Specialist *JDS*

**RE:** Permit Amendment for Exploration within Permit Boundary  
SUFCO, Convulsion Canyon Mine  
ACT/041/002, Folder #2, Sevier County, Utah

I have reviewed the proposed changes to SUFCO's Convulsion Canyon Mine MRP, received at DOGM on August 30, 1993. They appear to comply with the Coal Mining Rules. The changes constitute a Plan Amendment, not a Significant Permit Revision. There are no changes to the PHC and there will be no operations beyond the CIA nor in a new watershed. The only potential problem concerns the request of confidentiality for information obtained from the exploration holes.

**Proposal:**

SUFCO requests that any information from exploration drilling be kept confidential and that public access to any of the information be limited to only persons with an interest which is or may be adversely affected as provided under Section 40-10-10 of the Act.

**Analysis:**

According to R645-300-124 - Public Availability of Permit Applications - only certain information on analyses of the coal for chemical and physical properties can be held confidential in a permit application. Except for these analyses, information on coal seams, test borings, core samplings, or soil samples will be made available on a limited basis to those who have an interest which is or may be adversely affected; however this information is not available for public inspection or copying. Under the Utah Coal Mining Rules and Section 40-10-10 of the Act, certain chemical and physical properties of the coal determined from this exploration project can be Confidential and other information can be subject to Limited Availability.

Because access to and confidentiality of these records are covered by existing State law (40-10-10 UCA), procedures to obtain confidentiality under the Government Records Access and Management Act (GRAMA) do not apply. However, when submitting the information from the exploration program for inclusion as part of the MRP, SUFCO should clearly identify confidential or limited accessibility information and should submit it in a format that will allow it to be readily separated from information available to the public.

**Deficiency:**

None.

sufcoexp.mjs