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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

November 2, 1983

Mr. Jerry Smith
Assistant Director
Summit County Planning Office
P. O. Box 128
Coalville, Utah 84017

RE: Summit Coal Company
Boyer Mine
PRO/043/001
Summit County, Utah

Dear Mr. Smith:

This is in response to your request for clarification of issues regarding Summit Coal Company's proposal to operate the old Boyer Mine in the Chalk Creek area.

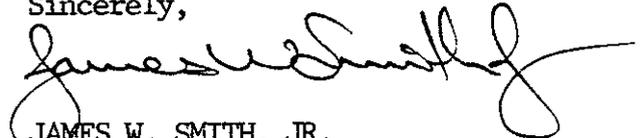
To quickly summarize the situation, Summit Coal Company has not submitted a permit application to the Division of Oil, Gas and Mining for undertaking such an activity, although we are aware of their intentions. Until such time as a submittal is made, we cannot make specific comments other than to say that the concerns you have raised in your letter of October 18, in addition to many others, definitely involve strict Division requirements. Please be assured that the operator is obligated to adequately address all such requirements prior to obtaining a State permit to mine. The Division is obligated to ensure that the mining and reclamation plan will provide maximum economic recovery of the resource as well as provide for protection of the environment, and public welfare. Mining is not allowed if the reclamation requirements cannot be met.

Due to the present Division workload and limited number of personnel, the priorities for review of permit applications lie with those existing coal mining operations which require repermitting under State statute. Currently, there are 22 coal mines in need of repermitting and 8 new permit applications. As you can see, any application submitted by another potential operator may have a considerable time delay in obtaining a permit to begin mining operations.

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The Division is fully aware of the local economic concerns associated with development of a new industry, particularly in light of the current situation. However, the Division will not abrogate its statutory responsibilities and circumvent the permit review process. All pertinent requirements must be met prior to the State allowing any development activities to occur. Your office will be notified upon the Division's receipt of a complete permit application so that you and other individuals may have ample opportunity to provide comments on the mining and reclamation plan. If you have any additional questions, please let me know.

Sincerely,



JAMES W. SMITH, JR.
COORDINATOR OF MINED
LAND DEVELOPMENT

JWS/btb

cc: R. Daniels, DOGM
S. Storrud, DOGM