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STATE OF UTAH
NATURAL RESOURCES
Oil, Gas & Mining

Norman H. Bangerter, Governor
Dee C. Hansen, Executive Director
Dianne R. Nielson, Ph.D., Division Director

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September 25, 1985

CERTIFIED RETURN RECEIPT REQUESTED
NO. (P168 903 772)

PR0/043/008
#2

Mr. Leonard Maki
Summit Coal Company
8347 South Mesa Drive
Sandy, Utah 84092

Dear Mr. Maki:

Re: Permitting Coal Preparation Plants and Loadouts

Enclosed please find a copy of a portion of the Federal Register dated July 10, 1985, wherein the Office of Surface Mining's (OSM's) new interim final rules and proposed permanent rules for coal preparation plants and other off-site facilities are enumerated. As stated, the revised regulation will: "(1) bring additional coal preparation plants and other surface coal mining operations under the permanent program regulations of the Surface Mining Control and Reclamation Act of 1977 (the Act); (2) allow persons operating coal preparation plants not previously subject to OSM rules a certain period of time to obtain the permit required as a result of the Court ruling; and (3) make certain performance standards immediately applicable to such plants or facilities." The interim final rule became effective September 9, 1985.

Some states have permitted these facilities in the past. Utah has not covered these operations under the state program; however, as a result of the finalized rules, we are now required to permit and inspect these facilities. We are anxious to work with you in coordinating permitting and inspection activities. The thrust of this ruling is that a permit application conforming to permanent program standards must be received by the Division of Oil, Gas and Mining (DOGM) within sixty (60) days of acknowledged receipt of this letter for all operations conforming to the definition of a coal preparation plant (page 28189 of the enclosed Federal Register). The criteria for permit application will be the same as those used for coal mine permits.

Please note the interim final rule requires immediate inspection of these facilities. The DOGM will be working with operators of existing facilities to provide written standards against which these operations will be inspected during the period of permit review.

Please feel free to contact the DOGM if you have questions concerning permitting of these facilities.

Best regards,

Dianne R. Nielson

Dianne R. Nielson
Director

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Enclosure
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