

Surface Mining Reclamation and Enforcement, Interior

§ 944.25

Original amendment submission date	Date of final publication	Citation/description
August 2, 1993	July 11, 1994	Utah Admin. R. 641-112; R645-100-500; 645-103-441; 645-203-200; 645-301-524.661, -731.760; 645-302-314.110, -323.310.
January 27, 1994	September 27, 1994	Utah Admin. R. 645-200-121, -122, -123, -220, -230; 645-201-100 through -130, -200 through -220, -223, -310, -323.100, -342.200; 645-202-100, -232, -235.
March 7, 1994	September 27, 1994	UCA 40-10-14(3), 20(1), (2), (3), (5), (6), (8).
September 9, 1994 ...	March 27, 1995	Utah Admin. R. 645-203-200.
February 10, 1995	May 2, 1995	Utah Admin. R. 645-401-120, -410, -430, -721, -723.100, -742, -810, -830, -910; 645-402-120, -420, -422.
November 12, 1993 ..	May 30, 1995	Utah Admin. R. 645-100-200, definition for "continuously mined areas;" 645-301-553, .100 through .130, .150, .200 through .230, .252, .300, .500 through .540, .600 through .612, .650, .650.100 through .500.
April 14, 1994	July 19, 1995	UCA 40-10-2(1) through (6), -3(1) through (22), -4, -6.5(1), (2), (3), .7, -7(1), -8(1), (3), -10(2), -11(1), (2)(a) through (d), (e)(ii), (f)(i), (iii), (3), (4), (a), (b), (5)(a) through (c), -12(3), -13(2)(b), -14(2), (3), (6), -15(1), -16(1), (3), (6)(a) through (d), -17(2)(g), (j)(i)(B), (ii)(A), (B), (2)(m), (o), (o)(f), (iv), (v), (p)(i)(F), (ii), (iii), (t)(i), (ii), (2)(v), (viii), (3)(b), (ii), (c), (4)(a), (d), (5), -18(1), (2)(i)(i)(B), (j), (4)(a) through (c), (5), -19(1), (2)(a), -20(2)(e)(ii), -21(1)(a)(i), (ii), (2)(a)(ii), (5), -22(1)(c), (d), (2)(a)(i), (b), (3)(a), (b), (d), (e), (f), -24(1)(c)(i)(A), (B), (C), (D), (ii), (e)(i), (ii), (iii), (2)(a), (b), -30; Utah Admin. R. 641-100-100.
February 6, 1995	September 14, 1995	Utah Admin. R. 645-301-357.300 through .365, Vegetation Information Guidelines.
November 30, 1995, December 4, 1995, March 11, 1996.	September 4, 1996	Utah Admin. R. 645-100-500; 645-301-553.110, .120.
May 27, 1997	August 4, 1997	Definition of "adjudicative proceeding" at UCA 40-10-3(1), (a), (b); 40-10-11 (3), (5)(a); 40-10-13(2)(b); 40-10-17 (2) (i) (ii) (B), (p) (ii), (iii), (3) (a), (c), (4), (a), (d); 40-10-18 (1), (2), (3)(a), (i) through (iii), (b), (4), (5), (6) (a), (b), (i) through (iii), (7), (8), (a), (b), (9), (10), (11), (a), (i) through (iii), (b), (c), (12)(a), (i) through (iii), (b), (13), (14), (15)(a), (b) (i) through (iv), (c), (d), (e); 40-10-18.1, .2, 40-10-20(2)(e)(ii).
June 8, 1998	November 16, 1998	UCA 40-10-11(1)(a)(i), (a)(ii), (1)(b), (1)(c), (c)(i), and (c)(ii); (2), (2)(a), (2)(b), (2)(c), (2)(d), (2)(d)(i), (d)(ii), (2)(e), (2)(e)(i), (e)(i)(A), (e)(i)(B), (e)(ii), (2)(f), (2)(f)(i), (f)(i)(A), (f)(i)(B), and (f)(iii); (3)(a)(i), (a)(ii), (3)(b), and (3)(c); (4)(a)(i), (a)(ii), and (4)(b); and (5)(a).

[62 FR 9955, Mar. 5, 1997, as amended at 62 FR 41849, Aug. 4, 1997; 63 FR 63611, Nov. 16, 1998]

§ 944.16 [Reserved]

Library, 1999 Broadway, Suite 3320, Denver, Colorado 80202-5733.

§ 944.20 Approval of Utah abandoned mine plan.

[60 FR 33725, June 29, 1995, as amended at 60 FR 54593, Oct. 25, 1995]

The Utah Abandoned Mine Plan, as submitted on February 9, 1983, and as subsequently revised, is approved effective June 3, 1983. Copies of the approved program are available at:

(a) Division of Oil, Gas and Mining, Department of Natural Resources, 3 Triad Center, Suite 350, 355 West North Temple, Salt Lake City, UT 84180-1203, Telephone: (801)538-5340.

(b) Office of Surface Mining Reclamation and Enforcement, Western Regional Coordinating Center, Technical

§ 944.25 Approval of Utah abandoned mine land reclamation plan amendments.

The following is a list of the dates amendments were submitted to OSM, the dates when the Director's decision approving all, or portions of these amendments, were published in the FEDERAL REGISTER and the State citations or a brief description of each amendment. The amendments in this table are listed in order of the date of final publication in the FEDERAL REGISTER.

Original amendment submission date	Date of final publication	Citation/description
July 26, 1991	August 19, 1992	UCA 40-10-25(1), (2)(c), (e), (f), (3)(a), (b), (c), .1(1)(a), (b), (2)(a), (b), (c), (3)(a) through (d), -2(1), (2), -27(10)(b), -28.1(1) through (7).
March 7, 1994	September 27, 1994	UCA 40-10-28(1), (a)(i), (b), (2)(b), .1(6).

Original amendment submission date	Date of final publication	Citation/description
April 14, 1994	July 19, 1995	UCA 40-10-25(2)(d), (e), (3), (a), (b), (4), (5), (6), -27(5)(a), (12)(b), -28(1)(a)(ii), (2)(a).
May 27, 1997	August 4, 1997	UCA 40-10-25(6)(b).
August 2, 1995	February 22, 1999 ..	Utah Admin. R. 643-870-500; 643-874-100 and -110; 643-874-124 through -128; 643-874-130 through -132; 643-874-140 through -144; 643-874-150; 643-874-160; 643-875-120 through -200; 643-877-141; 643-879-141; 643-879-152.200, -153, and -154; 643-882-132; 643-884-150; and 643-886-232.240.

[62 FR 9956, Mar. 5, 1997, as amended at 62 FR 41850, Aug. 4, 1997; 64 FR 8517, Feb. 22, 1999]

§ 944.30 State-Federal Cooperative Agreement.

The Governor of the State of Utah (Governor) and the Secretary of the Department of the Interior (Secretary) enter into a Cooperative Agreement (Agreement) to read as follows:

ARTICLE I: INTRODUCTION, PURPOSES AND RESPONSIBLE AGENCIES

A. Authority: This Agreement is authorized by section 523(c) of the Surface Mining Control and Reclamation Act (SMCRA), 30 U.S.C. 1273(c), which allows a State with a permanent regulatory program approved by the Secretary of the Interior under 30 U.S.C. 1253, to elect to enter into an agreement for State regulation of surface coal mining and reclamation operations on Federal lands. This Agreement provides for State regulation of coal exploration operations not subject to 43 CFR part 3480 through 3487, and surface coal mining and reclamation operations and activities in Utah on Federal lands (30 CFR Chapter VII Subchapter D), consistent with SMCRA and the Utah Code Annotated (State Act) governing such activities and the Utah State Program (Program).

B. Purposes: The purposes of this Agreement are to (a) foster Federal-State cooperation in the regulation of surface coal mining and reclamation operations and activities and coal exploration operations not subject to 43 CFR part 3480, Subparts 3480 through 3487; (b) minimize intergovernmental overlap and duplication; and (c) provide uniform and effective application of the Program on all lands in Utah in accordance with SMCRA, the Program, and this Agreement.

C. Responsible Administrative Agencies: The Utah Division of Oil, Gas, and Mining (DOG M) will be responsible for administering this Agreement on behalf of the Governor. The Office of Surface Mining Reclamation and Enforcement (OSMRE) will administer this Agreement on behalf of the Secretary.

ARTICLE II: EFFECTIVE DATE

After being signed by the Secretary and the Governor, this Agreement will take effect 30 days after publication in the FEDERAL

REGISTER as a final rule. This agreement will remain in effect until terminated as provided in Article XI.

ARTICLE III: DEFINITIONS

The terms and phrases used in this Agreement which are defined in SMCRA 30 CFR parts 700, 701 and 740, the Program, including the State Act, and the rules and regulations promulgated pursuant to that Act, will be given the meanings set forth in said definitions.

Where there is a conflict between the above referenced State and Federal definitions, the definitions used in the Program will apply.

ARTICLE IV: APPLICABILITY

In accordance with the Federal lands program, the laws, regulations, terms and conditions of the Program are applicable to Federal lands in Utah except as otherwise stated in this Agreement, SMCRA 30 CFR 740.4, 740.11(a) and 745.13, and other applicable Federal laws, Executive Orders, or regulations.

ARTICLE V: GENERAL REQUIREMENTS

The Governor and the Secretary affirm that they will comply with all the provisions of this Agreement.

A. Authority of State Agency: DOGM has and will continue to have the authority under State law to carry out this Agreement

B. Funds: 1. Upon application by DOGM and subject to appropriations, OSMRE will provide the State with the funds to defray the costs associated with carrying out its responsibilities under this Agreement as provided in section 705(c) of the Federal Act, the grant agreement, and 30 CFR 735.16. Such funds will cover the full cost incurred by DOGM in carrying out these responsibilities, provided that such cost does not exceed the estimated cost the Federal government would have expended on such responsibilities in the absence of this Agreement; and provided that such State-incurred cost per permitted acre of Federal lands does not exceed the per permitted area costs for similar administration and enforcement activities of the Program on non-Federal and non-Indian lands during the same time period.