

FILED**APRIL 19 2024****SECRETARY, BOARD OF
OIL, GAS & MINING**

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**Proposed Changes to Utah Administrative Code R-647-4**

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To: "Carter, Julie" <juliecarter@utah.gov>

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I am a professional geologist and mineral economist with graduate degrees in both disciplines. I have a +40 year career in mineral exploration, mining and mining-related M&A. I have been the President of a number of professional mining and geological organizations including: the Mining and Metallurgical Society of America (MMSA), the Society for Mining, Metallurgy and Exploration (SME - the largest technical mining association in the world), as well as equivalent organizations in Canada (CIM and PDAC), and the Chair of the US and Canadian Mining Halls of Fame. I have published extensively on geology, the business of exploration and M&A and mining finance. I have lived in Utah for more than 30 years, working both locally as well as internationally. I remain very active in my profession.

I understand the the DOGM Board is considering making important changes to Utah Adminstrative Code R-647-4, which would have significant impact on the future of mining in our State. Of particular concern is the proposed change to the definitions of "**Significant**" and "**Insignificant**" in relation to mine planning and mining and processing operations. The proposed language would have the impact of converting what are modest changes in an operating plan or change in processing equipment as technology improves from a "insignificant change" and not requiring public comment, to a "significant change" that would require public comment and possibly delay improvements unreasonably or even negate them when they are for the better good.

Here are several examples:

- a.) Adopting a new type of process equipment for an operation could be held up awaiting input from the general public; even if that equipment reduces emissions, improves efficiency, increases efficacy, etc.
- b.) a mine may consider replacing a diesel-powered ore haulage fleet with an electric fleet. The requirement for public comment would very likely scrub such a consideration and considerable investment due to delays created by a public comment requirement.
- c.) a mine such as the Kennecott operation (or a smaller mining economic contributor such as a sand/gravel/aggregate operation) needs to update its operating plan due to exhaustion of ore in a particular area of its pit, and needs to access new ore in another part of their operating area.

A poorly worded revision to the defintiions for "Insignificant" and "significant" may well shut down some or all of the mining, milling and smelting operations for a period of time awaiting public input.

I urge you to delay adopting the proposed changes to Adminsitrativie Code R 647-4 until there has been direct input on these definitions from mine operators, a more complete reply from the Utah Mining Association as well as input from the local chapters of SME and the Mining and Metallurgical Society of America. A bad set of definitions can have significant and unintended consequences.

Thank you for reviewing my comments. Please contact if you should wish to ask questions ar comment on this email.
Thank you.

Respectfully submitted,

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