



COALEX STATE INQUIRY REPORT - 15

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TOPIC: REPROCESSING OF ABANDONED COAL REFUSE PILES AND COAL SILT DAMS ON ABANDONED MINE LANDS

INQUIRY: Conduct a search of the provisions under state regulatory programs concerning the reprocessing of coal refuse piles and coal silt dams on abandoned mine lands. Include within the investigation: state rules and regulations; application requirements; bonding requirements; revegetation requirements; and special variance procedures to allow mining activities within these restricted areas.

SEARCH RESULTS:

A search of COALEX was conducted to identify coal refuse processing requirements on abandoned mine lands that differ from the general regulatory standards applied to other forms of surface coal mining. None were identified. In both the federal and state regulatory programs under SMCRA, the reprocessing of abandoned coal refuse piles and coal silt dams are included under the definition of "surface coal mining activity" and the general permitting, bonding and performance standards apply. (See 30 CFR Secs. 701.5 and 870.5)

The following state regulatory provisions were identified as specifically addressing the issue of reprocessing abandoned coal refuse disposal areas and are attached.

The West Virginia regulations contain, as special requirements, a section addressing the "reprocessing or removal of abandoned refuse disposal areas". (Coal Refuse Disposal Regs.; West Virginia Surface Mining Reclamation Regs.; Department of Natural Resources; Chapter 20-6; Series VIII (1981))

The Kentucky regulatory program provides a special provision for "lands acquired or reclaimed by the state containing coal, coal refuse or other marketable minerals which should be removed" to become designated small operator projects. (Kentucky Surface Mining Law: KRS Sec. 350.450, as revised (12/31/80))

ATTACHMENTS:

- A. Excerpts from Coal Refuse Disposal Regs.; West Virginia Surface Mining Reclamation Regs.; Department of Natural Resources; Chapter 20-6; Series VIII (1981).
 1. Sec. C.01: Standard Permits or Plans and Specification.
 2. Sec. C.02: Special Permits.
 3. Sec. D.06: Submittal Requirements; Reprocessing on Removal of Abandoned Coal Refuse Disposal Piles.



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4. Sec. E.09: Performance Standards; Material Removal.
 5. Sec. B: Definition of "Abandoned Coal Refuse Disposal Area".
- B. Excerpt from Kentucky Surface Mining Law: KRS Sec. 350.450, as revised (12/31/80):
Technical Assistance for small operator.