



COALEX STATE INQUIRY REPORT - 63
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TOPIC: POSTMINING LAND USES

INQUIRY: Have any states developed standards with respect to reclamation of areas which are stated to be used for industrial, commercial or residential development after mining?

SEARCH RESULTS: 30 CFR Sec. 816.133(c) establishes criteria for alternative postmining land uses. "Higher or better uses" for mined land may be approved by the regulatory authority after consultation with the landowner or land management agency having jurisdiction over the land. Criteria for alternative uses are found at Sec. 816.133(c)(1)-(3).

A COALEX search was conducted to identify the pertinent state regulations. A majority of the states use criteria which is very similar to that found in the federal regulations. Copies of these documents were forwarded to Dr. Weaver.

ATTACHMENTS

- A. 30 CFR Sec. 816.133 (1985).
- B. 11 Alaska Admin. Code, Title 90, Sec. 87 (1983).
- C. Arkansas Surface Coal Mining and Reclamation Code, Secs. 780.23, 816.133 (1980).
- D. Illinois Surface Coal Mining Land Conservation and Reclamation Regs., Sec. 1816.133 (1980).
- E. 310 Indiana Admin. Code Sec. 12-5-68 (1982).
- F. Iowa Admin. Code Sec. 4.323(9) (1981).
- G. 405 Kentucky Admin. Regs. Sec. 16:210E (1981).
- H. Mississippi Surface Coal Mining Reclamation Regs., Sec. 216.133 (1980)
- I. 10 Missouri Admin. Code Sec. 40-3.130 (1980).
- J. North Dakota Reclamation Regs., Sec. 69-05.22-09-13 (1983).
- K. Ohio Admin. Code Sec. 1501:13-9-17 (1982).
- L. Pennsylvania Admin. Bull., Sec. 87.159 (1982).
- M. Virginia Coal Surface Mining Reclamation Regs., Sec. V816.133 (1982).
- N. West Virginia Surface Mining Reclamation Regs., Sec. 4D (1984).