

**§922.819**

any person who conducts underground mining operations.

**§922.819 Special performance standards—auger mining.**

Part 819 of this chapter, *Special Permanent Program Performance Standards—Auger Mining*, shall apply to any person who conducts surface coal mining operations which include auger mining.

**§922.823 Special performance standards—operations on prime farmland.**

Part 823 of this chapter, *Special Permanent Program Performance Standards—Operations on Prime Farmland*, shall apply to any person who conducts surface coal mining and reclamation operations on prime farmlands.

**§922.824 Special performance standards—mountaintop removal.**

Part 824 of this chapter, *Special Permanent Program Performance Standards—Mountaintop Removal*, shall apply to any person who conducts surface coal mining operations constituting mountaintop removal mining.

**§922.827 Special performance standards—coal processing plants and support facilities not located at or near the minesite or not within the permit area for a mine.**

Part 827 of this chapter, *Special Permanent Program Performance Standards—Coal Processing Plants and Support Facilities not Located at or near the Minesite or not within the Permit Area for a Mine*, shall apply to any person who conducts surface coal mining and reclamation operations which include the operation of coal processing plants and support facilities not located at or near the minesite and not within the permit area for a mine.

**§922.828 Special performance standards—in situ processing.**

Part 828 of this chapter, *Special Permanent Program Performance Standards—In Situ Processing*, shall apply to any person who conducts in situ processing activities.

**§922.842 Federal inspections.**

(a) Part 842 of this chapter, *Federal Inspections*, shall apply to all explo-

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ration and surface coal mining and reclamation operations.

(b) In addition to the requirements of part 842, the Secretary will furnish a copy of each inspection report regarding inspections conducted pursuant to this subpart to the Michigan Department of Natural Resources upon request.

**§922.843 Federal enforcement.**

(a) Part 843 of this chapter, *Federal Enforcement*, shall apply when enforcement action is required for violations on surface coal mining and reclamation operations.

(b) The Office will furnish a copy of each enforcement action document and order to show cause issued pursuant to this subpart to the Michigan Department of Natural Resources, Geological Survey Division upon request.

**§922.845 Civil penalties.**

Part 845 of this chapter, *Civil Penalties*, shall apply when civil penalties are assessed for violations on surface coal mining and reclamation operations.

**§922.846 Individual civil penalties.**

Part 846 of this chapter, *Individual Civil Penalties*, shall apply to the assessment of individual civil penalties under section 518(f) of the Act.

[53 FR 3676, Feb. 8, 1988]

**§922.955 Certification of blasters.**

Part 955 of this chapter, *Certification of Blasters in Federal Program States and on Indian Lands*, shall apply to the training, examination and certification of blasters for surface coal mining and reclamation operations.

[51 FR 19462, May 29, 1986]

**PART 924—MISSISSIPPI**

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924.1 Scope.

924.10 State program approval.

924.15 Approval of Mississippi regulatory program amendments.

924.16 Required program amendments.

924.17 State regulatory program provisions and amendments not approved.

924.20 Approval of Mississippi abandoned mine land reclamation plans.

**Surface Mining Reclamation and Enforcement, Interior**

**§ 924.17**

AUTHORITY: Pub. L. 95-87 (30 U.S.C. 1201 *et seq.*).

**§ 924.1 Scope.**

This part contains all rules applicable only within the State of Mississippi which have been adopted under the Surface Mining Control and Reclamation Act of 1977.

[45 FR 58525, Sept. 4, 1980]

**§ 924.10 State program approval.**

(a) The Mississippi State program, as submitted on August 2, 1979, and resubmitted on May 27, 1980, is approved, effective September 4, 1980. Copies of the approved program are available at:

(1) Mississippi Department of Environmental Quality, Office of Geology, Southport Center, 2380 Highway 80 West, Jackson, Mississippi 39289-1307. Telephone (601) 961-5530.

(2) Office of Surface Mining Reclamation and Enforcement, Birmingham Field Office, 135 Gemini Circle, Birmingham, Alabama 34209. Telephone (205) 290-7282.

(b) [Reserved]

[45 FR 58525, Sept. 4, 1980, as amended at 59 FR 17930, Apr. 15, 1994; 63 FR 43320, Aug. 13, 1998]

**§ 924.15 Approval of Mississippi regulatory program 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
May 6, 1997 .....	January 9, 1998 .....	MSCMRL 53-9-3; 5; 7; 9; 11; 13; 15; 17; 19; 21; 23; 25; 26; 27; 28; 29; 31; 32; 33; 35; 37; 39; 41; 43; 45; 47; 49; 51; 53; 55; 57; 59; 61; 63; 65; 67; 69; 71; 73; 75; 77; 79; 81; 83; 85; 87; 89; 91.
March 26, 1998 .....	June 25, 1998 .....	MSCMRL 53-9-26; 45(4)(b); 69(1)(c)(i) and (4); 77(5).
March 26, 1998 .....	August 13, 1998 .....	Subpart I, Chapters 1 through 7; Subpart II, Chapters 9 through 15; Subpart III, Chapters 17 through 37; Subpart IV, Chapters 39 through 47; Subpart V, Chapters 49 through 71; Policy Statement No. PS-1.
July 1, 1999 .....	October 26, 1999 .....	Sections 105; 407; 413; 1105 (c)-(d); 2103; 2105; 2313; 3113; 3119; 3121; 3301(b); 3509; 3713; 4301; 4303(g)(6); 4501(c); 4701(a); 5333(b)(3)(A); 5349; 5359; 5377; 5391; 5393; 53111; 5703; 5903; 6501(c)(4); 6511 (a), (l)(1), & (n)(9).
September 28, 2001	December 3, 2002 ..	Sections 105; 1103; 1105; 1106; 1107(a), (b), (f), and (h); 2103(b)(14), (c), (d), (e), and (f); 3114; 53103(a) and (b); 53111(a)(4) and (5); 6511(c); and Appendix A: Revegetation Success Guidelines
April 5, 2006 .....	December 10, 2008	MSCMR 53-9-71(4) Sections: 105, 1101, and 1105.

[63 FR 1361, Jan 9, 1998, as amended at 63 FR 34599, June 25, 1998; 63 FR 43320, Aug. 13, 1998; 64 FR 57570, Oct. 26, 1999; 67 FR 71831, Dec. 3, 2002; 73 FR 74945, Dec. 10, 2008]

**§ 924.16 Required program amendments.**

Pursuant to 30 CFR 732.17(f)(1), Mississippi is required to submit to OSM by the specified date the following written, proposed program amendments, or a description of the amendments to be proposed, that meet the requirements of SMCRA and 30 CFR chapter VII and a timetable for enactment that is consistent with Mississippi's established administrative or legislative procedures.

(a)-(n) [Reserved]

[63 FR 1362, Jan. 9, 1998, as amended at 63 FR 34599, June 25, 1998; 63 FR 43321, Aug. 13, 1998; 64 FR 57571, Oct. 26, 1999; 67 FR 71832, Dec. 3, 2002]

**§ 924.17 State regulatory program provisions and amendments not approved.**

The proposed language in section 53-9-55(3), as submitted by Mississippi on May 6, 1997, that allows the commission to promulgate regulations regarding a waiver from the requirement to post a penalty payment bond upon a

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showing by the operator of an inability to post the bond is disapproved.

[63 FR 1362, Jan 9, 1998]

### § 924.20 Approval of Mississippi abandoned mine land reclamation plans.

The Mississippi abandoned mine land reclamation plan as submitted on April 5, 2006, and June 11, 2007, and as revised is approved. Copies of the approved plan are available at:

Office of Surface Mining Reclamation and Enforcement, Birmingham Field Office, 135 Gemini Circle, Suite 215, Homewood, Alabama 35209

Mississippi Department of Environmental Quality, Office of Geology, 2380 Highway 80 West, Jackson, Mississippi 39289-1307

[72 FR 54832, Sept. 27, 2007]

## PART 925—MISSOURI

Sec.

925.1 Scope.

925.10 State regulatory program approval.

925.12 State program provisions and amendments disapproved.

925.15 Approval of Missouri regulatory program amendments.

925.16 Required program amendments.

925.20 Approval of the Missouri abandoned mine land reclamation plan.

925.25 Approval of Missouri abandoned mine land reclamation plan amendments.

AUTHORITY: 30 U.S.C. 1201 *et seq.*

### § 925.1 Scope.

This part contains all rules applicable only within Missouri that have been adopted under the Surface Mining Control and Reclamation Act of 1977.

[45 FR 77027, Nov. 21, 1980]

### § 925.10 State regulatory program approval.

The Secretary approved the Missouri regulatory program, as submitted on February 1, 1980, and amended and clarified on May 14, 1980, effective November 21, 1980. He fully approved the Missouri program, as amended on September 7, 1982, and October 13, 1982, effective January 17, 1983. Copies of the approved program are available at:

(a) Missouri Department of Natural Resources, Land Reclamation Program, 205 Jefferson Street, P.O. Box 176, Jefferson City, MO 65102.

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(b) Office of Surface Mining Reclamation and Enforcement, Mid-Continent Regional Coordinating Center, Alton Federal Building, 501 Belle Street, Alton, IL 62002.

[64 FR 20167, Apr. 26, 1999]

### § 925.12 State program provisions and amendments disapproved.

(a) The amendment at 10 CSR 40-4.030(4)(A), submitted on December 14 and 18, 1987, is disapproved insofar as it would exempt from prime farmland performance standards coal preparation plants, support facilities, and roads associated with surface coal mining activities.

(b) The amendment at 10 CSR 40-4.030(4)(B), submitted on December 14 and 18, 1987, is disapproved insofar as it would exempt from prime farmland performance standards water bodies as a postmining land use.

(c) The definitions of “coal processing plant” and “coal preparation plant” at 10 CSR 40-8.010(1)(A)18, submitted on December 14 and 18, 1987, are disapproved insofar as they exempt from regulation certain facilities where coal is subjected to chemical or physical processing or cleaning, concentrating, or other processing or preparation, if they do not separate coal from its impurities.

(d) The amendments at 10 CSR 40-3.040(10)(O)3.C and 40-3.200(10)(O)3.C, submitted on October 5, 2000, concerning temporary impoundment design are disapproved effective May 9, 2001.

(e) The amendment at 10 CSR 40-3.240, submitted on October 5, 2000, concerning air resource protection is disapproved effective May 9, 2001, to the extent that it is missing pertinent requirements relating to control of erosion and air pollution.

(f) The amendment at 10 CSR 40-8.070(2)(C)1.A(II)(a), submitted on October 5, 2000, concerning the definition of cumulative measurement period is disapproved effective May 9, 2001, to the extent that it uses October 1, 1990, for determining the end of the period for which cumulative production and revenue is reported.

[53 FR 43869, Oct. 31, 1988, as amended at 66 FR 23604, May 9, 2001]