§ 912.700 Idaho Federal program.

(a) This part contains all rules that are applicable to surface coal mining operations in Idaho which have been adopted under the Surface Mining Control and Reclamation Act of 1977.

(b) The rules in this part cross-reference pertinent parts of the permanent program regulations in this chapter. The full text of a rule is in the permanent program rule cited under the relevant section of the Idaho Federal program.

(c) The rules in this part apply to all surface coal mining operations in Idaho conducted on non-Federal and non-Indian lands. The rules in Subchapter D of this chapter apply to operations on Federal lands in Idaho.

(d) The recordkeeping and reporting requirements of this part are the same as those of the permanent program regulations which have been approved by the Office of Management and Budget under 44 U.S.C. 3507.

(e) The following provisions of Idaho laws provide, where applicable, for more stringent environmental control and regulation of surface coal mining operations than do the provisions of the Act and the regulations in this chapter. Therefore, pursuant to Section 505(b) of the Act, they shall not be construed to be inconsistent with the Act.

1. Idaho Code Section 47-1503(20) pertaining to the definition of “operator.”
2. Idaho Code Section 47-1509(c) regarding reclamation of disturbed land of less than 2 acres.
3. Idaho Code Section 47-1513(c) providing for assessment of anticipated costs of reclamation against an operator.
4. Idaho Code Sections 47-1513(f) and (g) providing for assessment of civil penalties in addition to bond forfeiture.

AUTHORITY: 30 U.S.C. 1201 et seq.
SOURCE: 48 FR 16222, Apr. 14, 1983, unless otherwise noted.
§ 912.701 General.

Sections 700.5, 700.11, 700.12, 700.13, 700.14, 700.15 and part 701 of this chapter shall apply to surface coal mining and reclamation operations in Idaho.

§ 912.702 Exemption for coal extraction incidental to the extraction of other minerals.

Part 702 of this chapter, Exemption for Coal Extraction Incident to the Extraction of Other Minerals, shall apply to any person who conducts coal extraction incidental to the extraction of other minerals for purposes of commercial use or sale.

[54 FR 52123, Dec. 20, 1989]