

**Surface Mining Reclamation and Enforcement, Interior**

**§ 916.15**

Conservation, Henry A. Wallace Building, E. 9th and Grand Streets, Des Moines, IA 50319.

(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]

**§ 915.25 Approval of Iowa abandoned mine land reclamation plan 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 the order of the date of final publication in the FEDERAL REGISTER.

Original amendment submission date	Date of final publication	Citation/description
June 14, 2002 .....	December 5, 2002 .....	Emergency response reclamation program; AMLR Plan sections I. through IV., V.B. and C.; Iowa Code (IC) 207.21 subsection 2.a.(2) through 2.b. and subsection 3.d.; 207.23; and 207.29.

[67 FR 72379, Dec. 5, 2002]

**PART 916—KANSAS**

Sec.

916.1 Scope.

916.10 State regulatory program approval.

916.12 State regulatory program and proposed program amendment provisions not approved.

916.15 Approval of Kansas regulatory program amendments.

916.16 Required regulatory program amendments. [Reserved]

916.20 Approval of Kansas abandoned mine land reclamation plan.

916.25 Approval of Kansas abandoned mine land reclamation plan amendments.

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

**§ 916.1 Scope.**

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

[46 FR 5898, Jan. 21, 1981]

**§ 916.10 State regulatory program approval.**

The Secretary conditionally approved the Kansas regulatory program, as submitted on February 26, 1980, and amended on October 31, 1980, effective January 21, 1981. He fully approved the Kansas program, as amended on May 20, 1981, effective April 14, 1982. Copies

of the approved program are available at:

(a) Kansas Department of Health and Environment, Surface Mining Section, 4033 Parkview Drive, Frontenac, KS 66763.

(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]

**§ 916.12 State regulatory program and proposed program amendment provisions not approved.**

(a) The following provisions of the Kansas Administrative Regulations (K.A.R.) as submitted on April 23, 1986, and January 26, 1988, are disapproved: Paragraphs (c) and (d) of K.A.R. 47-9-1 insofar as they incorporate by reference 30 CFR 816.133(d) and 817.133(d), which establish criteria for variances from approximate original contour requirements.

(b) [Reserved]

[53 FR 39470, Oct. 7, 1988]

**§ 916.15 Approval of Kansas regulatory program amendments.**

The following is a list of the dates amendments were submitted to OSM, the dates when the Director's decision

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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 20, 1981 .....	April 14, 1982 .....	MLCRA 49-411, 412, 413, 414, 416, 421, 49-422, 422a, 430.
November 16, 1982 ..	March 1, 1983 .....	MLCRA 49-403, 49-405c, 49-406, 49-420; § 10 of House Bill 2182; K.A.R. 47-2-21, 47-8-10, 47-8-11.
March 16, 1984 .....	June 8, 1984 .....	MLCRA 49-406; K.A.R. 47-1-10.
December 21, 1984 ..	April 11, 1985 .....	K.A.R. 47-15-13.
April 4, 1985 .....	November 15, 1985	K.S.A. 1984 Supp. 49-406(g); K.A.R. 47-1-11; 47-2-75; 47-3-42, (a)(23), (45); 47-5; 47-8-9(a), (j); 47-9-1, 2, 3; 47-13-4, 5, 6; 47-15; Memoranda of understanding with Fish and Game Commission, Division of Water Resources, Department of Health and Environment, State Geological Survey, State Historical Society, State Water Office, State Conservation Commission and State Fire Marshal.
April 23, 1986 .....	May 26, 1987 .....	K.A.R. 47-1-4; 47-2-7, 17, 44, 53, a, 75; 47-3-2, 3, a, 4, 21, 40, 42; 47-4-14, 15; 47-6-3, 4, 5, 6; 47-7-2; 47-8-2, 9, a, 10; 47-9-1, 3, 4; 47-10-1; 47-11-8; 47-12-4; 47-15-1a.
August 5, 1987 .....	December 31, 1987	K.S.A. 49-431; K.A.R. 47-9-1.
April 29, 1988 .....	October 5, 1988 .....	K.S.A. 49-402, 404, 405, a through d; 407 through 410, 413, 415, 416, a, 417, 420, 421a, 426 through 429, 432, 433; K.S.A. 1987 Supplement 49-403, 406, 422a.
January 26, 1988 .....	October 7, 1988 .....	K.A.R. 47-2-75; 47-3-42(a); 47-7-2; 47-9-1 (c), (d); 47-10-1; 47-12-4.
June 8, 1990 .....	February 19, 1991 ..	The revegetation guidance document entitled "Revegetation Standards for Success and Statistically Valid Sampling Techniques for Measuring Revegetation Success".
June 29, 1989 .....	September 13, 1991	K.A.R. 47-1-1, 3, 4, 8, 9, 10, 11; 47-2-14, 21, 53, 67, 75; 47-3-1, 2, 3a, 42; 47-4-14a, 15, 16, 17; 47-5-5a, 16; 47-6-1 through 4, 6 through 10; 47-7-2; 47-8-9, 11; 47-9-1, 2, 4; 47-10-1; 47-11-8; 47-12-4; 47-13-4 through 7; 47-15-1a, 3, 4, 7, 8, 15, 17.
June 29, 1989 .....	April 13, 1992, September 9, 1994.	"Guidelines for repair of rills and gullies in Kansas".
June 3, 1991 .....	August 19, 1992 .....	Statistical sample adequacy.
July 10, 1992 .....	June 14 and August 30, 1993.	K.A.R. 47-1-9; 47-2-14, 53a, 58, 67, 75; 47-3-2, 3a, 42; 47-4-14a, 15; 47-5-5a, 16; 47-6-1 through 4, 6, through 10; 47-7-2; 47-8-9, 11; 47-9-1, 4; 47-10-1; 47-11-8; 47-12-4; 47-13-4, 5; 47-14-4, 7; 47-15-1a, 4, 7, 8.
September 14, 1993	June 3, 1994 .....	K.A.R. 47-2-75(e)(6); 47-4-14a(b), (c)(7), (11), (d), (2)(F), (6)(E)(iii), (iv); 47-5-5a(a)(10), (b), (14), (15), (16), (19), (20), (c)(7)(C); 47-6-7(h)(2); 47-9-1(c)(17), (43), (46), (d)(17), (39), (44); 47-15-1a, (b)(6), (9), (21).
August 9, 1995 .....	November 27, 1995	Alternative sampling method for determining woody stem density.
May 7, 1997 .....	March 3, 1998 .....	K.A.R. 47-1-1, 3, 4, 8, 9, 10, 11; 47-2-14, 21, 53, 53a, 58, 64, 67, 74, 75; 47-3-1, 2, 3a, 42; 47-4-14a, 47-4-15; 47-4-16; 47-4-17; 47-5-5a; 47-5-16; 47-6-1, 2, 3, 4, 6, 7, 8, 9, 10; 47-7-2; 47-8-9, 11; 47-9-1, 2, 4; 47-10-1; 47-11-8; 47-12-4; 47-13-4, 5, 6; 47-14-7; 47-15-1a; 47-15-3, 4, 7, 8, 15, 17.
October 9, 2001 .....	February 26, 2002.	Revegetation Standards for Success and Statistically Valid Sampling Techniques for Measuring Revegetation Success dated January 2002.
July 24, 2002 .....	March 25, 2003 .....	K.A.R. 47-2-75; 47-3-2, 42; 47-4-14a(c)(2); 47-5-5a, 17; 47-6-1, 2(d)(2), 3, 4, 6, 8, 9, 10, 11; 47-7-2; 47-8-9; 47-9-1, 4; 47-10-1; 47-11-8; 47-12-4; 47-13-4; 47-14-7; 47-15-1a.
November 19, 2007 ..	November 28, 2008	Revegetation Success Guidelines; Normal Husbandry Practices; Kansas Regulations: K.A.R. 47-4-14a(c)(2), (d)(2)(A), (d)(3)(A); K.A.R. 47-5-5a(a)(4), (a)(5), (a)(9), and (a)(11) through (a)(13).

[62 FR 9941, Mar. 5, 1997, as amended at 63 FR 10317, Mar. 3, 1998; 67 FR 8716, Feb. 26, 2002; 68 FR 14326, Mar. 25, 2003; 73 FR 72351, Nov. 28, 2008]

§916.16 Required regulatory program amendments. [Reserved]

§916.20 Approval of Kansas abandoned mine land reclamation plan.

The Secretary conditionally approved the Kansas abandoned mine land reclamation plan, as submitted on

October 1, 1981, effective February 1, 1982. He fully approved the Kansas plan, as amended by Kansas House Bill No. 2994 on April 14, 1982, and Kansas House Bill No. 2516 on May 2, 1983, and removed all conditions prohibiting the funding of State abandoned mine land construction grants, effective June 3,

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1983. Copies of the approved plan are available at:

(a) Kansas Department of Health and Environment, Surface Mining Section, 4033 Parkview Drive, Frontenac, KS 66763.

(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]

**§ 916.25 Approval of Kansas abandoned mine land reclamation plan 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
April 29, 1988 .....	October 5, 1988 .....	Reorganization of the Regulatory Authority. House Bill 3009 eliminated the Kansas Mined Land Conservation and Reclamation Board and transferred its functions and staff to the Kansas Department of Health and Environment.
September 30, 1988 June 29 and July 26, 1989.	January 10, 1989 ... November 30, 1989	Approval of emergency reclamation program. KAR 47-16-1, -16-2, -16-4 through -8; policy and procedures for project ranking and selection; organization structure; public participation.
October 25, 1991 .....	April 13, 1992 .....	KAR 47-16-5(b), -6.
May 7, 1997 .....	March 3, 1998 .....	K.A.R. 47-16-1 through 47-16-11.
March 17, 1998 .....	June 8, 1998 .....	Section 884.13(c)(2) and (d)(3).
July 24, 2002 .....	March 25, 2003 .....	K.A.R. 47-16-9(a), 47-16-10(b), and 47-16-12.

[62 FR 9941, Mar. 5, 1997, as amended at 63 FR 10317, Mar. 3, 1998; 63 FR 31112, June 8, 1998; 68 FR 14326, Mar. 25, 2003]

**PART 917—KENTUCKY**

Sec.

917.1 Scope.

917.10 State regulatory program approval.

917.11 Conditions of State regulatory program approval.

917.12 State regulatory program and proposed program amendment provisions not approved.

917.13 State statutory and regulatory provisions set aside.

917.15 Approval of Kentucky regulatory program amendments.

917.16 Required regulatory program amendments.

917.17 State regulatory program amendments not approved.

917.20 Approval of the Kentucky abandoned mine reclamation plan.

917.21 Approval of Kentucky abandoned mine land reclamation plan amendments.

917.30 State-Federal cooperative agreement.

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

**§ 917.1 Scope.**

This part contains all rules applicable only within Kentucky that have

been adopted under the Surface Mining Control and Reclamation Act of 1977.

[47 FR 21434, May 18, 1982]

**§ 917.10 State regulatory program approval.**

The Kentucky State program as resubmitted on December 30, 1981, and amended and clarified on February 22, 1982, was conditionally approved, effective May 18, 1982. Beginning on that date, the Kentucky Department for Natural Resources and Environmental Protection was deemed the regulatory authority in Kentucky for surface coal mining and reclamation operations and for coal exploration operations on non-Federal and non-Indian lands. Copies of the approved program are available for review at:

(a) Office of Surface Mining Reclamation and Enforcement, Lexington Field Office, 2675 Regency Road, Lexington, Kentucky 40503-2922.

(b) Department for Surface Mining Reclamation and Enforcement, Number