

**27—40.31(207) Requirements for permits and permit processing.** The following is incorporated by reference: 30 CFR Part 773, as in effect on July 1, 2010, with the following exceptions:

**40.31(1)** Delete the second sentence of 30 CFR 773.4(a).

**40.31(2)** Add at the end of the last sentence of 30 CFR 773.6(a)(1)(ii) the words “and the scale of the map”, and the following paragraph:

“The legal description shall include popular township, county, township, range, section, and the United States Geological Survey map identification by property owners. Section lines shall be marked and the sections shall be identified on the map. The total acreage of the proposed permit area shall be given to the nearest acre.”

**40.31(3)** Delete from 30 CFR 773.7(a) the words “a reasonable time set by the regulatory authority” and insert the words “90 days following the completion of the adequacy review”.

**40.31(4)** Delete 30 CFR 773.3, 773.4(c) and (d).

**40.31(5)** Delete from 30 CFR 773.4(b)(2) the words “section 502 of the Act” and insert the words “Iowa Code section 207.4”.

**40.31(6)** Delete from 30 CFR 773.6(a)(3)(ii) the words “section 503(a)(6) or 504(h) of the Act” and insert the words “Iowa Code section 207.5”.

**40.31(7)** Delete the first sentence from 30 CFR 773.6(c)(2)(iv).

**40.31(8)** Delete from 30 CFR 773.6(d)(3)(ii) the words “section 508 of the Act” and insert the words “Iowa Code section 22.7, subsection 6”.

**40.31(9)** The general word substitution for “Act” at rule 27—40.1(17A,207) does not apply to 30 CFR 773.11(a).

**40.31(10)** The general word substitution for “secretary” at rule 27—40.1(17A,207) does not apply to 30 CFR 773.17(d).

**40.31(11)** The general word substitution for “OSM” at rule 27—40.1(17A,207) does not apply to 30 CFR 773.19(b)(3).

**40.31(12)** Add the following paragraph (h) to 30 CFR 773.17:

(h) The permittee shall ensure and the permit shall contain specific conditions requiring that, as a condition of the permit, the permittee shall not, except as permitted by law, willfully resist, prevent, impede, or interfere with the division or any of its agents in the performance of their duties.

**40.31(13)** Delete from 30 CFR 773.6(b)(1) the words “a reasonable time established by the regulatory authority” and insert the words “60 days of the notification”.

**40.31(14)** Reserved.

**40.31(15)** Delete 773.23(d) and insert in lieu thereof the following:

(d) Right to appeal. The permittee may file an appeal for administrative review of the notice of proposed suspension or rescission under Part 9 of these rules.

[ARC 9575B, IAB 6/29/11, effective 8/3/11]