

27—40.36(207) Surface mining permit applications—minimum requirements for reclamation and operation plan. The following is incorporated by reference: 30 CFR Part 780, as in effect on July 1, 2010, except as modified by subrules 40.1(3) and 40.1(5) and with the following exceptions and clarifications:

40.36(1) Delete 30 CFR 780.1 and 780.10.

40.36(2) The general word substitutions at rule 27—40.1(17A,207) do not apply at 30 CFR 780.21(a).

40.36(3) The determination of probable hydrologic consequence (PHC) made pursuant to these rules as part of a permit application shall address all proposed mining activities associated with the permit area for which authorization is sought as opposed to addressing only those activities expected to occur during the term of the permit.

40.36(4) Delete from 30 CFR 780.12 references to “Subchapter B” and “Subchapter K” and replace with “Part 1B” and “Part 6”, respectively.

40.36(5) Insert at the end of 30 CFR 780.21(a) the sentence “The methodology for measurement of the quantity of both surface water and groundwater shall also be described.”

40.36(6) Delete from 30 CFR 780.21(d) the words “may be required by the regulatory authority” and insert the words “is required”.

40.36(7) Delete from 30 CFR 780.21(i) and (j) the word “approved” and insert the word “proposed”.

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