

**27—40.39(207) Requirements for permits for special categories of mining.** The following is incorporated by reference: 30 CFR Part 785, as in effect on July 1, 2010, with the following exceptions:

**40.39(1)** Delete 30 CFR 785.10, 785.11, 785.12, 785.14, 785.15, 785.16, 785.17(d)(1), (2), and (3), 785.19, and 785.22.

**40.39(2)** The general word substitutions for “director” and “department” at rule 27—40.1(17A,207) do not apply at 30 CFR 785.13.

**40.39(3)** None of the general word substitutions at rule 27—40.1(17A,207) apply at 30 CFR 785.17(c)(1)(i) and (d).

**40.39(4)** Delete paragraphs (d) and (e) from 30 CFR 785.21 and insert in lieu thereof a new paragraph (d) as follows:

(d) Coal preparation plants are required to obtain permanent program permits under the Iowa regulatory program after April 10, 1981, as approved by the U.S. Office of Surface Mining.

**40.39(5)** Delete from 30 CFR 785.18(c)(5) the words “section 515(b)(16) of the Act” and insert the words “Iowa Code section 207.7”.

**40.39(6)** Delete from 30 CFR 785.18(c)(7) the words “section 515(b)(22) of the Act” and insert the words “Iowa Code section 207.7”.

**40.39(7)** Delete from 30 CFR 785.18(c)(9) the words “section 515(b) of the Act” and insert the words “Iowa Code section 207.7”.

**40.39(8)** Add the following clarifying sentence to 30 CFR 785.21(a): “An off-site processing plant operated in connection with the mine but off the mine site will be regulated without regard to its proximity to the mine.”

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