

- 11. Executive Order 11593 (May 13, 1971), Cultural Resource Inventories on Federal Lands.
  - 12. Executive Order 11988 (May 24, 1977), for flood plain protection.
  - 13. Executive Order 11990 (May 24, 1977), for wetlands protection.
  - 14. The Mineral Leasing Act for Acquired Lands, 30 U.S.C. 351 *et seq.*, and implementing regulations.
  - 15. The Stock Raising Homestead Act of 1916, 43 U.S.C. 291 *et seq.*
  - 16. The Constitution of the United States.
  - 17. Surface Mining Control and Reclamation Act of 1977, 30 U.S.C. 1201 *et seq.*
  - 18. 30 CFR Chapter VII.
  - 19. The Constitution of the State of Illinois.
  - 20. Illinois Surface Coal Mining Land Conservation and Reclamation Act [Ill. Rev. State. 1979, Ch. 96 1/2/par. 7901 *et seq.*]
  - 21. Illinois Department of Mines and Minerals, Coal Mining and Reclamation Permanent Program, Rules and Regulations, 62 Ill. Adm. Code 1700-1850.
- [52 FR 45329, Nov. 27, 1987]

**PART 914—INDIANA**

- Sec.
- 914.1 Scope.
- 914.10 State regulatory program approval.
- 914.15 Approval of Indiana regulatory program amendments.
- 914.16 Required program amendments.
- 914.17 State regulatory program provisions and amendments disapproved.
- 914.20 Approval of Indiana abandoned mine land reclamation plan.
- 914.25 Approval of Indiana abandoned mine land reclamation plan amendments.
- 914.30 State-Federal Cooperative Agreement.

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

**§914.1 Scope.**

This part contains all rules applicable only within Indiana that have been

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

[47 FR 32107, July 26, 1982]

**§914.10 State regulatory program approval.**

The Secretary conditionally approved the Indiana regulatory program, as submitted on March 3, 1980, amended and clarified on June 4, 1980, resubmitted on September 28, 1981, and clarified on December 8, 1981, April 8, 1982, May 18-19, 1982 and May 26, 1982, effective July 29, 1982. He fully approved the Indiana program, as amended on April 19 and 28, 1983, effective August 19, 1983. Copies of the approved program are available at:

(a) Indiana Department of Natural Resources, Room W-295, 402 West Washington Street, Indianapolis, IN 46204.

(b) Office of Surface Mining Reclamation and Enforcement, Indianapolis Field Office, Minton-Capehart Federal Building, Room 301, 575 North Pennsylvania Street, Indianapolis, IN 46204-1521.

[64 FR 20166, Apr. 26, 1999]

**§914.15 Approval of Indiana regulatory program 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
September 1, 1982 ...	December 17, 1982	Revision to permit application forms to require applicant to certify that all reclamation fees had been paid.
December 9, 1982 ....	March 4, 1983 .....	310 IAC 12-2-7, -9; 12-3-1, -12(c)(2), -21(b)(4), -25, -37(a), -47(b), -48, -59(b)(4), -74(a), -81, -97, -102(c); 12-4-5, -10(e)(1), -16; 12-5-3, -18, -24(f), -51, -84, -90(f), -115, -123(b), -149, -152; 12-6-6(d), (f), -6.5, -16(b)(3)(ii); 12-7-4(f).
April 19 and 28, 1983	August 19, 1983 .....	IC 13-4.1-2-3, 13-4.1-4-5(c), 13-4.1-7-5, 13-4.1-11-11(i), 13-4.1-14-2(a); 310 IAC 12-1-3; 12-3-12, -39, -63, -76, -112, -118; 12-4-3, -4, -7, -17; 12-5-19, -36, -41, -71.5, -85, -101, -105, -139.5; 12-6-1, -4, -5, -6.5, -9, -15, -16.
March 5, 1984 .....	July 10, 1984 .....	IC 13-4.1-2-4, 13-4.1-3-3, 13-4.1-4-3, 13-4.1-5-7.
March 19, 1984 .....	October 19, 1984 ...	310 IAC 12-2-8; 12-3-43, -118; 12-5-6, -34, -35, -36, -38, -40; 12-5-73, -100, -100.5, -101, -103.
February 7, 1985 .....	May 13, 1985 .....	IC 13-4-6-1.5, -1.6; 13-4.1-1-7; 13-4.1-3-1, -3.5; 13-4.1-5-8; 13-4.1-6-9; 13-4.1-8-1; 13-4.1-10-1; 13-4.1-12-1, -2.

Surface Mining Reclamation and Enforcement, Interior

§ 914.15

Original amendment submission date	Date of final publication	Citation/description
December 7, 1984 ....	May 15, 1985 .....	310 IAC 12-2-11; 12-3-46, -80, -96, -97, -98; 12-5-3, -6, -11, -12, -12.1, -13, -14, -15, -18, -19, -20, -21, -23, -24, -44, -54, -54.1, -55, -55.1, -56, -56.1, -57, -57.1, -69, -73, -77, -78, -78.1, -79, -80, -81, -84, -85, -86, -87, -89, -90, -108, -118, -119, -119.1, -120, -121, -121.1, -137, -147, -150, -150.1, -151, -152, -153, -154; 12-6-2, -9.1.
May 29, 1984 .....	May 16, 1985 .....	310 IAC 0.5; Policy statement dated October 16, 1984.
February 18, 1985 ....	June 5, 1985 .....	310 IAC 12-3-26, -64, -106, -107, -108.
December 10 and 16, 1985.	March 14, 1986 .....	310 IAC 0.5-1-1 through -5, -8 through -13, -15 through -19; 12-5-148; advisory letter from Indiana State Office of the Attorney General dated April 23, 1985.
September 4, 1985 ...	March 17, 1986 .....	310 IAC 12-1-3; 12-5-33, -99; 12-8-1 through 12-8-9; blaster training program.
January 31, 1986 .....	May 13, 1986 .....	310 IAC 12-3-121; 12-5-34, -36, -100, -101; 12-6-11, -12, -12.5.
May 29, 1986 .....	August 14, 1986 .....	310 IAC 12-3-8.
September 24, 1986	January 21, 1987 ...	310 IAC 12-5-56.1, -121.1.
June 11, 1986, November 7, 1986.	April 1, 1987 .....	IC 4-21.5; 4-22-1; 13-4-6-9; 13-4.1-1-3, -5; 13-4.1-3-3, -4, -6; 13-4.1-4-1, -3, -7; 13-4.1-7-1, -5, -6; 13-4.1-8-1; 13-4.1-11-5, -6, -8, -12; 13-4.1-14-1; 310 IAC 12-8-4, -8.
June 11, 1986, May 4, 1987.	February 16, 1988 ..	IC 13-4.1-1-8, 13-4.1-3.2, 13-4.1-6-8, 13-4.1-12-6.
April 10, 1987 .....	March 22, 1988 .....	310 IAC 12-5-12.1(a)(3)(i), -78.1(a)(3)(i).
August 13, 1987 .....	November 10, 1988	IC 13-4.1-6-4; 13-4.1-11-3, -4.
August 13, 1987, June 12, 1989.	October 11, 1989 ...	310 IAC 12-1-3; 12-2-7; 12-3-104, -104.1; 12-5-155, -156.
September 1, 1988	November 1, 1989 ..	310 IAC 12-5-18, -19, -84, -85.
March 18, 1988 .....	December 15, 1989	IC 13-4.1-11-10, 35-44-1-3.
November 8, 1989 ....	April 5, 1990 .....	IC 13-4.1-10-3.
March 18, 1988	April 23, 1990 .....	IC 13-4.1-6-5, 13-4.1.6.3-1 through -13.
December 5, 1989, May 16, 1990.	August 10, 1990 .....	310 IAC 12-3-111; 12-5-148; 12-6-8, -9, -16; 12-8-9.
December 4, 1989, August 9, 1990.	September 24, 1990	IC 13-4.1-2-2, 13-4.1-11-5.
August 15, 1989, December 5, 1989.	January 18, 1991 ...	310 IAC 0.6-1, 12-6-6.5.
October 24, 1990 .....	March 15, 1991 .....	Intervention in hearings by those who may be adversely affected by the outcome of the proceedings.
December 11, 1990 ..	March 21, 1991 .....	310 IAC 12-0.5, 12-0.5-25(c), 12-1-3.
September 29, 1988, February 15, 1991.	August 2, 1991 .....	310 IAC 12-5-29, -94; IC 4-26-3-27.8; 13-4.1-2, -4, -5; 14-3; Non-code provision at §46 of Senate Enrolled Act 362 concerning the Bureau of Mine Reclamation.
June 4, 1991 .....	November 27, 1991, December 13, 1991.	IC 13-4.1-3-2; 13-4.1-6-9; 13-4.1-6.3-11(2), -13; 13-4.1-10-1; 13-4.1-11-6.
July 11, 1991 .....	December 13, 1991	310 IAC 0.7-3-5.
March 18, 1988 .....	April 20, 1992 .....	IC 13-4.1-6-8, 13-4.1-6.5.
May 22 and 23, 1991	May 29, 1992 .....	310 IAC 12-5-64, -64.1 through .3, -65, -128, -128.1 through .3, -129.
June 4, 1991 .....	June 23, 1992 .....	IC 13-4.1.
May 23, 1991 .....	September 14, 1992	310 IAC 12-5-145 through -148, -148.5.
May 7, 1992 .....	December 17, 1992	310 IAC 12-3-8, -9; 12-8-4, -8; 12-9-1 through -4.
March 18, 1988, February 15, 1991, July 10, 1991.	December 30, 1992	IC 13-4.1-1-3; 13-4.1-2-4; 13-4.1-3-3, -3.1; 13-4.1-4-2, -3.1, -5; 13-4.1-14-1; SEA 121, § 8; 310 IAC 12-0-5-48; 12-0.5-59; 12-2-1, -2; 12-3-13, -29, -38, -52, -67, -75, -84, -112, -121.
July 16, 1992 .....	January 14, 1993 ...	IC 13-4.1-1-1, 13-4.1-3-2(c), -3(c), -3.5(a)(1), (5).
December 2, 1992 ....	May 17, 1993 .....	310 IAC 12-3-87.1; 12-5-130.1, -131.1.
November 13, 1992 ..	June 24, 1993 .....	310 IAC 12-0.5; 12-3-19, .1, -20, -111, -112, -119.5, .6; 12-6-5.
January 4, 1993 .....	August 2, 1993 .....	310 IAC 12-5-64.1 through .3, -128.1, .3; -145; -148.5.
March 26, 1992 .....	August 16, 1993 .....	310 IAC 12-0.5-6, -32.5, -90.5, -91.5; 12-2-6, -7; 12-3-6, -30.5, -33, -46.5, -47, -57, -68.5, -71, -78, -80.5, -81, -94, .1, -98, -106, -110, -116, -127, -128, -131; 12-4-3, -16; 12-5-16, -24, -27, -30, -32, -39, -42, -43, .1, -48, -51, .1, -57.5, -82, -92, -95, -97, -99, -100, -104, -106, -107, .1, -115, -119.1, -121.5, -131, -144.
August 8, 1992 .....	September 3, 1993	310 IAC 12-0.5-5.5, -32.6, .7, .8, -72.5, -78.5; 12-1-5 through -12.
April 19, 1993 .....	September 21, 1993	IC 13-4.1-1-5, 13-4.1-6.5-8(d).
February 24, 1993 ....	November 18, 1993	310 IAC 0.6-1-5, -13; 0.7-3-5; 12-6-6.5.
July 2, 1993 .....	June 16, 1994 .....	310 IAC 12-0.5-6, -23, -53, -55, -64, -72, -104, -111, -116, -139.
April 2, 1993 .....	July 15, 1994 .....	310 IAC 0.6-1-2, .5, -9, -17.
October 1, 1993 .....	July 27, 1994 .....	310 IAC 13-4.1-4-3(a)(10).
June 15, 1994 .....	October 20, 1994 ...	310 IAC 0.6-1-5, -13; 0.7-3-5.
August 11, 1994 .....	December 13, 1994	310 IAC 12-4-16(c)(3).
September 26, 1994	February 2, 1995 ....	Amendment #94-4 to the Indiana program to correct typographical, clerical, spelling errors.
December 7, 1994 ....	March 10, 1995 .....	310 IAC 12-8-4.1, -8.1.
March 21, 1994 .....	April 4, 1995 .....	IC 13-4.1-6-9; 13-4.1-9-2.5; 13-4.1-2-4; 13-4.1-4-3, -5; 13-4.1-6-7; 13-4.1-11-6, -8, -12; 13-4.1-12-1; 13-4.1-13-1; 13-4.1-15-9.

§914.16

30 CFR Ch. VII (7-1-00 Edition)

Original amendment submission date	Date of final publication	Citation/description
January 31, 1995 .....	April 7, 1995 .....	310 IAC 12-5-54.1.
March 18, 1994, August 25, 1994.	April 20, 1995 .....	310 IAC 12-3-87, .1(c)(2), (7); 12-5-130, .1(c)(2), (g), (h), -131; Amendment #94-2 to the Indiana program.
May 3, 1995 .....	September 14, 1995	310 IAC 12-5-64.1(c), -128.1(c); correction of typographical, clerical, spelling errors.
May 11, 1995 .....	October 16, 1995 ...	310 IAC 12-0.5-2, -15, -57, -95, -99.
December 30, 1993 ..	November 9, 1995 ..	310 IAC 12-0.5-109.5, -110.5, -122.5; 12-1-5; 12-3-31, -48, -69, -78, -82, -97, -106; 12-4-5, -7; 12-5-3, -4; 12-6-20 through -24; 12-7-4, -5, -6; Amendment #93-7, Part I.
September 11, 1995	April 8 and 10, 1996	IC 13-4.1; 14-2-285.5; 14-8, -2-144.5; 14-34, -2-4, -4-8.5, -10.5, -10-2(b)(23), -13-1, -2, -19-2.
March 18, 1984 .....	May 28, 1996 .....	310 IAC 12-3-87.1(c)(2); 12-5-130.1(c)(2), -132.
September 26, 1994	October 29, 1996 ...	310 IAC 12-0.5-78.7, -91.5, -109; 12-3-30, -32, -33, -34, -41, -47, -49, -55, -55.1, -68, -70, -71, -81, -83, -90.5, -91; 12-5-17, -20, -21(a)(3), -24(a)(9)(B), -27, -31, -39, -41, -42, -44, -48, -50, -69, -70, -83, -86, -87(a)(3), -90(a)(9)(B), -92, -96, -104, -105, -106, 108, -112, -114, -127, -137, -137.5(2), -144; 12-6-19.
January 13, 1997 .....	August 25, 1997 .....	310 IAC 12-3-130 (4), (5), -131, -132, -132.5, -133, -134, -134.1, -134.5, -135.
January 14, 1997 .....	August 25, 1997 .....	310 IAC 12-0.5-39.5, 72.1, 75.5, 77.5, 107.5; 12-3-81, 87.1; 12-5-94, 130.1.
March 7, 1997 .....	September 8, 1997	310 IAC 12-1-7(a), (15)(A), (17); 12-1-7.1 (a) through (c); 12-1-11(b), (c) (1) through (3), (d) (1) through (3).
September 11, 1995	November 4, 1997 ..	IC 14-8-2-42.5, -49.5, -49.6, -274.5; 14-34-5-10; 14-34-6-14.3, -14.6; 14-34-7-0.5, -0.6, -0.7, -2.5, -4 (b), (d) through (g), -4.1, -5, -7, -7.1, -8, -9, -10, -11, -12, -13.
March 6, 1998 .....	July 24, 1998 .....	310 IAC 12-3-46(a), (b)(2) through (b)(5); 12-3-80(a), (b)(2) through (b)(5); 12-3-110 (f), (g); 12-5-32(a), (b); 12-5-97(a), (b).
March 6, 1998 .....	September 29, 1998	310 IAC 12-0.5-6(a) through (c); 12-3-78(a) and (b); 12-5-98(a), (c) and (d); and 12-5-145.5.
May 15, 1998 .....	March 16, 1999 .....	IC14-8-2-117.3, 14-34-4-18, 14-34-5-7(b) through (d), -8, -8.1, -8.2(1) through (3), -8.2(5)(A) through (5)(C), -8.3, -8.4(a) through (c)(1), -8.4(c)(2)(A) through (J) and (L), -8.5, -8.6.
March 8, 1999 .....	June 14, 1999 .....	310 IAC 12-3-31(a)(3), (c); 12-3-48(a)(3); 12-3-69(a)(3), (c)(3), (d); 12-3-106(a)(8).
May 7, 1999 .....	August 12, 1999 .....	310 IAC 12-3-109(a) through (d); 12-3-114(b), (e), and (f); 12-3-115(b); 12-4-12(b)(4), (b)(6)(A)(ii), and (c); 12-4-16(a), (c), and (d); 12-6-2(a), (b), (c), and (e).
July 1, 1999 .....	October 26, 1999 ...	310 IAC 12-8-4.1; -8.1.
August 2, 1999 .....	November 22, 1999	310 IAC 12-5-64.1(c) and 128.1(c).
August 31, 1999 .....	January 7, 2000 .....	310 12-5-159; IC 14-34-2-6(b) and (c).
February 25, 2000 .....	May 26, 2000 .....	IC 14-34-6-15(b) and (c).
February 4, 2000 .....	June 5, 2000 .....	310 IAC 0.6-1-1 through 17 [repealed]; 310 IAC 0.7-3-5 [repealed]; 312 IAC 3-1-1 through 18.

[62 FR 9939, Mar. 5, 1997, as amended at 62 FR 44896, 44898 Aug. 25, 1997; 62 FR 47140, Sept. 8, 1997; 62 FR 59578, Nov. 4, 1997; 63 FR 39729, July 24, 1998; 63 FR 51829, Sept. 29, 1998; 64 FR 12896, Mar. 16, 1999; 64 FR 31693, June 14, 1999; 64 FR 43913, Aug. 12, 1999; 64 FR 57567, Oct. 26, 1999; 64 FR 63684, Nov. 22, 1999; 65 FR 1063, Jan. 7, 2000; 65 FR 34094, May 26, 2000; 65 FR 35575, June 5, 2000]

§914.16 Required program amendments.

Pursuant to 30 CFR 732.17, Indiana is required to submit for OSM's approval the following proposed program amendments by the dates specified.

(a)-(e) [Reserved]

(f) By January 3, 1992, Indiana shall amend 310 IAC 12-5-29, or otherwise amend the Indiana regulatory program to clearly require the replacement of water supplies which are affected by contamination, diminution, or interruption proximately resulting from surface mining activities which do not

involve a legitimate water use by a person conducting these surface mining activities.

(g)-(r) [Reserved]

(s) By January 7, 1994, Indiana shall amend 310 IAC 12-5-27(a)(4) or otherwise amend the Indiana program to be no less effective than 30 CFR 816.41(c)(2) which references and requires compliance with 39 CFR 773.17(e).

(t)-(dd) [Reserved]

(ee) By July 1, 1994, Indiana shall amend 310 IAC 12-05.-139(b) to provide that the interpretation of the terms of the document used to establish a valid