

**Surface Mining Reclamation and Enforcement, Interior**

**§ 915.16**

- 915.15 Approval of Iowa regulatory program amendments.
- 915.16 Required program amendments.
- 915.20 Approval of Iowa abandoned mine land reclamation plan.

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

**§ 915.1 Scope.**

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

[46 FR 5891, Jan. 21, 1981]

**§ 915.10 State regulatory program approval.**

The Secretary approved the Iowa regulatory program, as submitted February 28, 1980, and amended and clarified on June 11, 1980, and December 15, 1980, effective April 10, 1981. Copies of the approved program are available at:

(a) Iowa Department of Agriculture and Land Stewardship, Division of Soil

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 20166, Apr. 26, 1999]

**§ 915.15 Approval of Iowa 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
October 1, 1981 .....	May 26, 1982 .....	IAC 780-4.6(8), 4.35(13).
June 3, 1982 .....	September 8, 1982 .....	IC 83-14.2, 7(a).
September 28, 1982 .....	January 4, 1983 .....	IAC 4.311(2); 4.322(13); 4.522(11); 4.523(15), (38), (60); 4.55(1), (5).
May 9, 1984 .....	December 7, 1984 .....	IAC 4.523(63), 4.322(14).
January 31, 1985 .....	May 24, 1985 .....	IAC 780-4.6(83), .42(1)(83).
July 25 and 26, 1985 .....	May 9, 1986 .....	IAC 780-4.6(1), (4), .35(1), (6), .37(2), .321(8), .361(9); and 780-Chapter 26.
June 16, 1986 .....	October 7, 1986 .....	Iowa Senate File 2175: State Government Reorganization Bill.
August 12, 1986 .....	December 11, 1986 .....	IAC 4.522(15)c, g.
April 28, 1987 .....	October 7, 1987 .....	I.C. 83.7.
June 9, 1988 .....	December 9, 1988 .....	I.C. 83.26.
December 26, 1990 .....	November 6, 1991 .....	IAC 27-40.1 through .7, .11, .12, .13, .21, .22, .23, .30 through .39, .41, .51, .61 through .68, .71 through .74, .81, .82, .91 through .99.
November 23, 1992 .....	February 8, 1994 .....	IAC 27-40.1, .3 through .7, .11, .12, .13, .21, .22, .23, .30 through .39, .41, .51, .61 through .68, .71, .73, .74, .75, .81, .82, .92.
April 13, 1994 .....	April 6, 1995 .....	IAC 27-40.3(207), .4(9), .31(14), .32(207), .51(7), .63(20), .74(3), .75(2).
December 4, 1996 .....	April 7, 1997 .....	IAC 40.4(10); .38 (2) and (3); 64 (6) through (9).
September 28, 1998 .....	November 26, 1999 .....	Revegetation Success Guidelines dated April 1999 (partial approval).

[62 FR 9940, Mar. 5, 1997, as amended at 62 FR 16492, Apr. 7, 1997; 64 FR 66390, Nov. 26, 1999]

**§ 915.16 Required program amendments.**

Pursuant to 30 CFR 732.17(f)(1), Iowa is required to submit to OSM by the specified date the following written, proposed program amendment, or a description of an amendment to be proposed that meets the requirements of SMCRA and 30 CFR Chapter VII and a timetable for enactment that is consistent with Iowa's established administrative or legislative procedures.

(a) Before Iowa allows the use of reference areas for determining success of

productivity on prime farmland as proposed at section III, part F and section IV, part A.2 of its revegetation success guidelines, Iowa must submit for OSM approval evidence that the U.S. Natural Resources Conservation Service concurs with these provisions.

(b) By May 25, 2000, Iowa must either remove the guidelines for normal husbandry practices from section III, part H of its April 1999 revegetation success guidelines or submit for OSM approval documentation that demonstrates each practice is a normal husbandry practice within the region for unmined

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lands having land uses similar to the approved postmining land uses of areas disturbed by mining in Iowa.

(c) By May 25, 2000, Iowa must either remove section IV, part G, which contains the requirements and methods for control area climatic adjustments to the prime farmland average yields provided in the County Soil Map Unit Yield Data tables, from its April 1999 revegetation success guidelines or submit for OSM approval evidence that the U.S. Natural Resources Conservation Service concurs with this provision.

(d) By May 25, 2000, Iowa must amend its revegetation success guidelines at:

(1) Section IV, part E by either adding planting arrangement provisions for recreational, wildlife, and forested lands and obtaining program-wide concurrence for the provisions from the State agencies responsible for the administration of forestry and wildlife programs or adding a provision that requires permit-specific concurrence for minimum planting arrangements from the State agencies responsible for the administration of forestry and wildlife programs.

(2) Section IV, part E by either obtaining program-wide concurrence for its minimum stocking provisions or adding a provision that requires permit-specific concurrence for minimum stocking from the State agencies responsible for the administration of forestry and wildlife programs.

(e) By May 25, 2000, Iowa must add a provision to section V, Part A.2 of its revegetation success guidelines that specifies the standard method that permittees are to use for obtaining the dry weight of test plot grain samples.

[60 FR 17464, Apr. 6, 1995, as amended at 64 FR 66391, Nov. 26, 1999]

### §915.20 Approval of Iowa abandoned mine land reclamation plan.

The Secretary approved the Iowa abandoned mine land reclamation plan, as submitted on December 17, 1982, effective March 28, 1983. Copies of the approved plan are available at:

(a) Iowa Department of Agriculture and Land Stewardship, Division of Soil Conservation, Henry A. Wallace Building, E. 9th and Grand Streets, Des Moines, IA 50319.

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(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]

## PART 916—KANSAS

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916.10 State regulatory program approval.

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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 program provisions and amendments disapproved.

(a) The following provisions of the Kansas Administrative Regulations (K.A.R.) as submitted on April 23, 1986, and January 26, 1988, are disapproved: