

Document: Notice of Intent to Adopt a Rule, **Register Page Number:** 26 IR 2649

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TITLE 312 NATURAL RESOURCES COMMISSION

LSA Document #03-93

Under IC 4-22-2-23, the Natural Resources Commission intends to adopt a rule concerning the following:

OVERVIEW: Amends 312 IAC 25 that assists in the administration of IC 14-34 (sometimes referred to as the “Indiana Surface Control and Reclamation Act” or “Indiana SMCRA”) that governs surface coal mining and reclamation activities. Makes numerous changes to help assure conformance with state and federal law. Included among them are new definitions for “land eligible for remining” and “unanticipated event or condition”. References to ponds would be modified to describe siltation structures. Designated regulations of the Mine Safety and Health Administration would be incorporated by reference. Refuse piles would be addressed with greater specificity. References to the former Soil Conservation Service are updated to identify the Natural Resources Conservation Service. New standards address consultation with the Secretary of Agriculture, permits on prime farmland, permits on lands eligible for remining, certifications by a permittee who seeks a bond release, the development of baselines for hydrologic information, and the frequency of inspections of abandoned sites. Provides for the confidentiality of information and location of archaeological resources on public and Indian lands. Specifies that, in addition to the director of the department of natural resources, the Secretary of the Interior may perform mine inspections. Makes numerous other substantive and technical changes. Questions and comments may be sent to the Division of Hearings, Natural Resources Commission, 402 West Washington Street, Room W272, Indianapolis, Indiana 46204 or by telephone at (317) 233-3322. Statutory authority: IC 14-34-2-1.