

Kansas Administrative Regulations

Mined-Land Conservation and Reclamation (KDHE)

Article 7.—Coal Exploration

47-7-2. Coal exploration; adoption by reference.

(a) The following federal regulations, as in effect on July 1, 2012, are adopted by reference, except as otherwise specified in this regulation:

(1) Notice requirements for exploration removing 250 tons of coal or less, 30 C.F.R. 772.11;

(2) permit requirements for exploration that will remove more than 250 tons of coal or that will occur on lands designated as unsuitable for surface coal mining operations, 30 C.F.R. 772.12;

(3) coal exploration compliance duties, 30 C.F.R. 772.13;

(4) commercial use or sale, 30 C.F.R. 772.14; and

(5) public availability of information, 30 C.F.R. 772.15.

(b) The following phrases and citations shall be replaced with the phrases and citations specified in this subsection wherever the phrases and citations appear in the text of the federal regulations adopted by reference in this regulation.

(1)(A) "Subchapter F of this chapter" shall be replaced by "article 12 of these regulations."

(B) The phrase "section 518 of the Act, subchapter L of this chapter, and the applicable inspection and enforcement provisions of the regulatory program" shall be replaced by "K.S.A. 49-405c, and amendments thereto, and articles 5 and 15 of these regulations."

(C) "This part," "this part, part 815 of this chapter, and the applicable provisions of the regulatory program," and "this part, part 815 of this chapter, the regulatory program" shall be replaced by "K.A.R. 47-7-2" and "K.A.R. 47-9-1(b)."

(2)(A) "Part 775 of this chapter" shall be replaced by "K.S.A. 49-407(d), K.S.A. 49-416a, K.S.A. 49-422a, and amendments thereto, and article 4 of these regulations."

(B) "Part 815 of this chapter" shall be replaced by "K.A.R. 47-9-1(b)."

(C) "Parts 773 through 785 of this chapter" shall be replaced by "articles 3, 4, 6, and 10 of these regulations, K.S.A. 49-407(d), K.S.A. 49-416a, and K.S.A. 49-422a, and amendments thereto."

(3)(A) "§761.11 of this chapter" shall be replaced by "K.A.R. 47-12-4(a)(2)."

(B) "§772.12" shall be replaced by "K.A.R. 47-7-2(a)(2)."

(C) "§772.13" shall be replaced by "K.A.R. 47-7-2(a)(3)."

(D) "§§772.13 and 772.14" shall be replaced by "K.A.R. 47-7-2(a)(3) and (4)."

(E) "§§772.14(b) and 700.11(a)(5)" shall be replaced by "K.A.R. 47-7-2(a)(4) and K.A.R. 47-6-8."

(Authorized by K.S.A. 49-405; implementing K.S.A. 49-427; effective, E-81-30, Oct. 8, 1980; effective May 1, 1981; amended May 1, 1986; amended May 1, 1988; amended Feb. 11, 1991; amended May 2, 1997; amended July 31, 1998; amended Dec. 1, 2006; amended Feb. 15, 2019.)

***** Authenticated Kansas Administrative Regulation *****