

Kansas Administrative Regulations

Mined-Land Conservation and Reclamation (KDHE)

Article 8.—Bonding Procedures

47-8-9. Bonding procedures; 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) Regulatory authority responsibilities, 30 C.F.R. 800.4, deleting subsection (d);
- (2) definitions, 30 C.F.R. 800.5, deleting subsection (c);
- (3) requirement to file a bond, 30 C.F.R. 800.11, deleting subsection (e);
- (4) form of the performance bond, 30 C.F.R. 800.12, deleting subsection (c);
- (5) period of liability, 30 C.F.R. 800.13;
- (6) determination of bond amount, 30 C.F.R. 800.14;
- (7) adjustment of amount, 30 C.F.R. 800.15;
- (8) general terms and conditions of bond, 30 C.F.R. 800.16;
- (9) bonding requirements for underground coal mines and long-term coal-related surface facilities and structures, 30 C.F.R. 800.17;
- (10) surety bonds, 30 C.F.R. 800.20;
- (11) collateral bonds, 30 C.F.R. 800.21;
- (12) replacement of bonds, 30 C.F.R. 800.30;
- (13) requirement to release performance bonds, 30 C.F.R. 800.40;
- (14) forfeiture of bonds, 30 C.F.R. 800.50; and
- (15) terms and conditions for liability insurance, 30 C.F.R. 800.60, deleting subsection (d).

(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) "Act" shall be replaced by "state act."
- (B) "Application" shall be replaced by "complete and accurate application."

(C) "Subchapter K of this chapter" shall be replaced by "article 9 of these regulations."

(D) "This chapter" and "subchapter G of this chapter" shall be replaced by "these regulations."

(E) "This subchapter" shall be replaced by "article 8 of these regulations."

(F) "(Under parts 780 and 784 of this chapter)" shall be replaced by "[under K.A.R. 47-3-42(a)(40) through (59), and K.A.R. 47-10-1]."

(2)(A) "Part 823 of this chapter" shall be replaced by "K.A.R. 47-9-1(f)."

(B) "Section 507(b)(16) of the act" shall be replaced by "K.S.A. 49-407(c), and amendments thereto."

(C) "Section 513(b) of the act" shall be replaced by "K.S.A. 49-407(d), and amendments thereto, and the regulations promulgated thereunder."

(D) "Section 515 of the act" and "section 515(b)(10) of the act" shall be replaced by "K.S.A. 49-405a, K.S.A. 49-408 through K.S.A. 49-413, K.S.A. 49-429, and amendments thereto, and the regulations promulgated thereunder."

(3)(A) "§800.11(b)" shall be replaced by "K.A.R. 47-8-9(a)(3)."

(B) "§800.13" shall be replaced by "K.A.R. 47-8-9(a)(5)."

(C) "§800.14" shall be replaced by "K.A.R. 47-8-9(a)(6)."

(D) "§800.15" shall be replaced by "K.A.R. 47-8-9(a)(7)."

(E) "§800.16(e)(2)" shall be replaced by "K.A.R. 47-8-9(a)(8)."

(F) "§800.17(b)(3)" shall be replaced by "K.A.R. 47-8-9(a)(9)."

(G) "§800.21(f)" shall be replaced by "K.A.R. 47-8-9(a)(11)."

(H) "§800.40," "§800.40(c)(2)," "§800.40(f) and (h)," and "§800.40(a)(2)" shall be replaced by "K.A.R. 47-8-9(a)(13)."

(I) "§800.50" shall be replaced by "K.A.R. 47-8-9(a)(14)."

(J) "§800.60" shall be replaced by "K.A.R. 47-8-9(a)(15)."

(K) "§816.116 or §817.116 of this chapter" shall be replaced by "K.A.R. 47-9-1(c)(42) or K.A.R. 47-9-1(d)(38)."

(L) "§816.132 or §817.132 of this chapter" shall be replaced by "K.A.R. 47-9-1(c)(44) or K.A.R. 47-9-1(d)(42)."

(M) "§816.133 or §817.133 of this chapter" and "§§816.133(c) and 817.133(c)" shall be replaced by "K.A.R. 47-9-1(c)(45) or K.A.R. 47-9-1(d)(43)."

(N) "§817.121(c) of this chapter" shall be replaced by "K.A.R. 47-9-1(d)(39)."

(O) "§§800.14 and 800.15" shall be replaced by "K.A.R. 47-8-9(a)(6) and (7)."

(Authorized by K.S.A. 49-405; implementing K.S.A. 2018 Supp. 49-406, K.S.A. 49-407, and K.S.A. 49-429; effective, E-81-30, Oct. 8, 1980; effective May 1, 1981; amended May 1, 1985; amended May 1, 1986; amended Feb. 11, 1991; amended May 2, 1997; amended July 31, 1998; amended Dec. 1, 2006; amended Feb. 15, 2019.)

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