

ALABAMA SURFACE MINING COMMISSION
ADMINISTRATIVE CODECHAPTER 880-X-10B
PERFORMANCE STANDARDS PERFORMANCE STANDARDS -- COAL EXPLORATION

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880-X-10B-.01 Scope.

This Subchapter sets forth performance standards required for coal exploration which substantially disturbs the natural land surface. Such exploration may, at the discretion of the State Regulatory Authority, be further required to comply with the applicable performance standards and design requirements of Subchapters 880-X-10C -880-X-10K.

Author: Randall C. Johnson

Statutory Authority: Code of Ala. 1975, §§9-16-71, 73, 74, 75, 76, 80, 87, 90, 91 92.

History: May 20, 1982; **Amended:** September 18, 1990; effective: August 2, 1991.

880-X-10B-.02 Permitting Information.

Notwithstanding cross-references in other parts which may be otherwise construed, Subchapter 880-X-8C establishes the notice and permit information requirements for coal exploration.

Author: Randall C. Johnson

Statutory Authority: Code of Ala. 1975, §§9-16-71, 73, 74, 75, 76, 80, 87, 90, 91 92.

History: May 20, 1982; **Amended:** September 18, 1990; effective: August 2, 1991.

880-X-10B-.03 Exploratory Drilling.

(1) All exploration holes shall be cased, sealed, or backfilled in accordance with Rule 880-X-10C-.04 before being abandoned.

(2) The State Regulatory Authority may require access to exploratory maps and records to assure compliance with this Rule.

Author:

Statutory Authority: Code of Ala. 1975, §§9-16-71, 73, 74, 75, 76, 80, 87, 90, 91, 92.

History:

880-X-10B-.04 General Responsibility Of Persons Conducting Other Coal Exploration.

(1) Each person who conducts coal exploration which disturbs one-half acre or less and in which 250 tons or less of coal are removed shall file the notice of intention to explore required under Rule 880-X-8C-.04 and shall comply with Rule 880-X-10B-.06 of this Rule.

(2) Each person who conducts coal exploration which disturbs more than one-half acre or in which more than 250 tons of coal are removed in the area described by the permit from the Alabama Surface Mining Commission, shall comply with the procedures described in the Exploration and Reclamation Operations Plan approved under Rule 880-X-8C-.05 and shall comply with Rule 880-X-10B-.06 of this subchapter.

Author: Randall C. Johnson

Statutory Authority: Code of Ala. 1975, §§9-16-87.

History: May 20, 1982; **Amended:** November 14, 1989; effective: March 7, 1991.

880-X-10B-.05 Required Documents.

Each person who conducts coal exploration which substantially disturbs the natural land surface shall, while in the exploration area, have available a copy of the filed Notice Of Intention to Explore or a copy of the Exploration Permit for review by the Alabama Surface Mining Commission Inspector upon request.

Author: Randall C. Johnson

Statutory Authority: Code of Ala. 1975, §9-16-87.

History: May 20, 1982; **Amended:** November 14, 1989; effective: March 7, 1991.

880-X-10B-.06 Performance Standards For Coal Exploration.

(a) Habitats of unique or unusually high value for fish, wildlife and other related environmental values and critical habitats of threatened or endangered species identified pursuant to the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) shall not be disturbed during coal exploration.

(b) All roads or other transportation facilities used for coal exploration shall comply with the applicable provisions of the ASMC Rules 880-X-10C-.67 through 10C-.72.

(c) If excavations, artificial flat areas, or embankments are created during exploration, these areas shall be returned to the approximate original contour promptly after such features are no longer needed for coal exploration.

(d) Topsoil shall be separately removed, stored, and redistributed on areas disturbed by coal exploration activities as necessary to assure successful revegetation or as required by the ASMC.

(e) Revegetation of areas disturbed by coal exploration shall be performed by the person who conducts the exploration, or his or her agent. If more than 250 tons of coal are removed from the exploration area, or if more than one-half acre is disturbed, all revegetation shall be in compliance with the plan approved by the State Regulatory Authority and carried out in a manner that encourages prompt vegetative cover and recovery of productivity levels compatible with approved post-exploration land use and in accordance with Rules 880-X-10C-.58 - 880-X-10C-.63.

(f) Diversions of overland flows and ephemeral, intermittent, or perennial streams shall be made in accordance with 880-X-10C-.14 or 880-X-10D-.14 of these Rules.

(g) Each exploration hole, borehole, well, or other exposed underground opening created during exploration must meet the requirements of Rules 880-X-10C-.04, 880-X-10C-.05 and 880-X-10C-.06.

(h) All facilities and equipment shall be removed from the exploration area promptly when they are no longer needed for exploration, except for those facilities and equipment that the State Regulatory Authority determines may remain to --

1. Provide additional environmental data;
2. Reduce or control the on and off site effects of the exploration activities; or

3. Facilitate future surface mining and reclamation operations by the person conducting the exploration, under an approved permit.

(i) Coal exploration shall be conducted in a manner which minimizes disturbance of the prevailing hydrologic balance, and shall include sediment control measures such as those listed in Rule 880-X-10C-.16 or sedimentation ponds which comply with Rule 880-X-10C-.17. The State Regulatory Authority may specify additional measures which shall be adopted by the person engaged in coal exploration.

(j) Toxic- or acid-forming materials shall be handled and disposed of in accordance with Rules 880-X-10C-.19 and 880-X-10C-.54. If specified by the State Regulatory Authority, additional measures shall be adopted by the person engaged in coal exploration.

Author: Randall C. Johnson

Statutory Authority: Code of Ala. 1975, §9-16-87.

History: May 20, 1982; **Amended:** November 14, 1989; effective: March 7, 1991; **Amended:** September 18, 1990; effective: August 2, 1991.

880-X-10B-.07 **(NOT USED)**.

Author:

Statutory Authority:

History: