This document has been
Rescinded and is located
in our Archive files.

For Active files, visit
http://www.osmre.gov/directiv.htm

	U. S. DEPARTMENT OF THE INTERIOR OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT DIRECTIVES SYSTEM	Subject Number: INE-22 RESCINDED Transmittal Number: 332 Date: 05/08/87

Subject: Temporary Cessation of Operations

Approval: Jed D. Christensen **Title:** Director

1. Purpose. This directive provides guidance concerning the conditions and duration for which a surface coal mining and reclamation operation may temporarily abandon operations.

2. Definitions. None.

3. Policy/Procedures.

a. Background. Both 30 CFR 816.131 and 817.131 authorize temporary cessation of operations for more than 30 days provided: (1) operations are to be resumed; and (2) the permittee submits to the regulatory authority a notice of intent (NOI) to cease or abandon operations. The purpose of the NOI is to demonstrate to the satisfaction of the regulatory authority that any safety hazards at the operation are eliminated and to ensure continued maintenance of environmental protection standards required under the approved permit and regulatory program.

b. Policy/Procedures.

(1) Upon receipt of an NOI, the regulatory authority shall evaluate the closure plans and require modifications as necessary to ensure that:

(a) recoverable coal reserves remain and mining is likely to resume;

(b) information required in the NOI is complete and accurate;

(c) surface facilities are effectively secured from safety hazards; and

(d) environmental monitoring and water treatment activities will continue as necessary.

(2) Temporary cessation of operations shall terminate upon either the resumption of surface coal mining operations; the failure of the permittee to submit an application for permit renewal within at least 120 days before expiration of the existing permit; or upon expiration of any maximum time periods which may be imposed under the applicable regulatory program.

4. Reporting Requirements. None.

5. References. 30 CFR 774.15(b)
30 CFR 816.131
30 CFR 817.131
30 CFR 840.11
30 CFR 842.11

6. Effects On Other Documents. None.

7. Effective Date. Upon Issuance.

8. Contract. Chief, Branch of Inspection, (202) 343-5384.