

FEDERAL REGISTER: 42 FR 46550 (September 16, 1977)

DEPARTMENT OF THE INTERIOR

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM)

30 CFR Parts 700, 710, 715, 716, 717, 720, 721, 722, 723, 725, 740, 795, 830
Proposed Rules; Correction

ACTION: Corrections.

SUMMARY: This document corrects proposed rules that appeared on page 44920 of the FEDERAL REGISTER on September 7, 1977, FR Doc. 77-25928.

DATES: Comments must be received by October 7, 1977. Public hearings will be held starting at 1 p.m. on September 20, 1977, and continuing if necessary at 9 a.m. on September 21 and 22, 1977.

ADDRESSES: Office of Surface Mining Reclamation and Enforcement, Department of the Interior, Washington, D.C. 20240. Public hearings will be held at the Department of the Interior Auditorium, 18th and C Streets NW., Washington, D.C.; Kiel Auditorium, 1416 Market Street, St. Louis, Mo.; Public Library Auditorium, 1347 Broadway, Denver, Colo.; and Morris Harvey College, Riggelman Hall, 2300 McCorkle Avenue, Charleston, W.Va.

FOR FURTHER INFORMATION CONTACT: Paul Reeves, Office of Surface Mining Reclamation and Enforcement, 202343-4237.

DRAFTING INFORMATION: The principal authors of these corrections are: Michael Bradley, Office of Surface Mining Task Force, and Edward Clair, Office of the Solicitor, Department of the Interior.

Dated: September 13, 1977.

CARL C. CLOSE, *Acting Director, Office of Surface Mining Task force.*

The following corrections are made:

1. On page 44920, under SUMMARY, line 6 "These regulations require" is corrected to read "The Act requires".
2. On page 44920, under SUPPLEMENTARY INFORMATION, line 10, "These regulations, especially dealing with" is corrected to read "The regulations, especially those dealing with".
3. On page 44922, the first full paragraph, line 8, "that its was necessary" is corrected to read, "that it was necessary".
4. On page 44922 Sec. 715.20, line 13, strike the comma after "wildlife" and before "habitat".
5. On page 44922, Sec. 716.3, line 9, "longterm" is corrected to read "long term".
6. On page 44923, DRAFTING INFORMATION, line 3, after "George Davis" insert", Office of Surface Mining Task Force,".
7. On page 44924, "DRAFTING REGULATION", is corrected to read "DRAFTING INFORMATION".
8. On page 44926, *Surface coal mining and reclamation*, is corrected in the second line by adding "*operations means surface coal mining*" immediately following "*reclamation*" and immediately before "*operations*".

9. On page 44926, Sec. 700.13(d)(4), "The dates" is corrected to read "The date".
10. On page 44926, Sec. 700.13(e), "Secretary of" is corrected to read "Secretary or".
11. On page 44927, Sec. 710.5, *approximate original contour*, last line, " Sec. 715.7" is corrected to read " Sec. 715.17".
12. On page 44927, Sec. 710.5, *Highwall*, first line, "face of an exposed" is corrected to read "face of exposed".
13. On page 44927, Sec. 710.5, "*Roads means*" is corrected to read "*Roads means*".
14. On page 44928, "*Runoff water*" is corrected to read "*Runoff water*".
15. On page 44928, "*Water table means upper surface*" is corrected to read "*water table means the upper surface*".
16. On page 44929, Sec. 710.12(c)(1), "not to exceed 1,000,000 tons" is corrected to read "not to exceed 100,000 tons".
17. On page 44929, PART 715, under Section heading 715.18 "Dams constructed of refuse material, general" is corrected to read "Dams constructed of refuse materials." [Page 46551]
18. On page 44929, Sec. 715.11(c), line 6, "to exceed 1:1000," is corrected to read "to exceed 1:1000,".
19. On page 44931, Sec. 715.14, line 12, "highway may be disturbed" is corrected to read "highwall may be disturbed".
20. On page 44931, Sec. 715.14(c)(3), line 2, "as stated as paragraph" is corrected to read "as stated in paragraph".
21. On page 44931, Sec. 715.14(e), line 11, "struction of power grades" is corrected to read "struction of lower grades".
22. On page 44932, Sec. 715.14(j)(2), line 5, "cordance with Sec. 2020.17(g)" is corrected to read "cordance with Sec. 715.17(g)".
23. On page 44933, Sec. 715.17, line 18, "include but are limited to" is corrected to read "include but are not limited to".
24. On page 44933 Sec. 715.17(a) "*Effluent limitations, in milligrams per liter except for hydrogen-ion concentration*" is corrected to read "*Effluent limitations, in milligrams per liter except for pH*".
25. On page 44933, Sec. 715.17(a), line 4 in chart, "*Hydrogen-ion concentration.*", is corrected to read "pH."
26. On page 44934, line 7, "charges that occur more than" is corrected to read "charges that occur for more than".
27. On page 44934, (e)(1)(ii), line 1, "storage for each of" is corrected to read "storage for each acre of".
28. On page 44935, line 3, "(f) *Discharged structures.*" is corrected to read "(f) *Discharge structures.*"
29. On page 44935, (4)(f), "(f) *Alluvial valley*" is corrected to read "(j) *Alluvial valley*".
30. On page 44935, (k), line 12, "reflect hanges in" is corrected to read "reflect changes in".
31. On page 44935, (c)(iii), line 4, "water carriers" is corrected to read "water barriers".

31a. On page 44936, Sec. 715.18, "Dams constructed of refuse materials, general." is corrected to read, "Dams constructed of refuse materials."

32. On page 44936, Sec. 715.18(c)(3)(v), line 8, "blankets, previous drainage" is corrected to read "blankets, pervious drainage".

33. On page 44936, Sec. 715.18(c)(ix), line 9, "professional policies by a" is corrected to read "professional practice by a".

34. On page 44937, Sec. 715.19(b)(2), line 9, "to be effected by" is corrected to read "to be affected by".

35. On page 44937, Sec. 715.19(7)(a), "(a) *Blasting procedures*" is corrected to read "(e) *Blasting procedures*".

36. On page 44939, the first chart, "*Standards for revegetation*" is corrected to read as follows:
Standards for revegetation

[Herbaceous species = grass, legumes, and nonleguminous forbs; woody plants = woody shrubs, trees, and vines; ground cover = area covered by the combined aerial parts of plants and litter that are produced naturally on site, expressed as a percentage of the total area of measurement]

A. Areas planted only in herbaceous species (percent ground cover of herbaceous species at the end of the growing season)

| Average annual precipitation, in inches | 1 year | 5 years | 10 years |
|---|--------|---------|----------|
| Up to 10 | 6 | 8 | 10 |
| 10.1-16 | 10 | 20 | 30 |
| 16.1-26 | 20 | 30 | 40 |
| More than 26 | 50 | 70 | NA |

B. Areas planted to mixtures of herbaceous and woody species (percent ground cover of herbaceous species and number of plants per acre of woody species at the end of the growing season)

| Average annual precipitation, in inches | 1 year | | 5 years | | 10 years | |
|---|----------------------|------------------------------|----------------------|------------------------------|----------------------|------------------------------|
| | Percent ground cover | No. of woody plants per acre | Percent ground cover | No. of woody plants per acre | Percent ground cover | No. of woody plants per acre |
| Up to 10 | 6 | 2,500 | 5 | 2,000 | 4 | 1,500 |
| 10.1-16 | 7 | 800 | 10 | 900 | 15 | 1,000 |
| 16.1-26 | 20 | 400 | 25 | 400 | 30 | 400 |

B. Areas planted to mixtures of herbaceous and woody species (percent ground cover of herbaceous species and number of plants per acre of woody species at the end of the growing season)

| Average annual precipitation, in inches | 1 year | 5 years | 10 years |
|---|--------|---------|----------|
| More than 26 | 600 | 400 | NA |

[SEE TABLE IN ORIGINAL]

n1 On steep slopes, the minimum number of woody plants must be increased to 600 per acre.

[Page 46552]

37. On page 44939, the second chart, "Standards for revegetation when exclosures are required" is corrected to read as follows:

Standards for revegetation when exclosures are required

[Ground cover = area covered by the combined aerial parts of plants and litter that are produced naturally on site, expressed as a percentage of the total area of measurement; biomass yield = the total yield of living plants above ground in an area at the end of the growing season]

| Average annual precipitation, in inches | End of growing season - | | |
|---|-------------------------|---------|----------|
| | 1 year | 5 years | 10 years |
| A. Number of adapted species in revegetated areas | | | |
| Up to 10 | 3 | 12 | 15 |
| 10.1-16 | 6 | 14 | 20 |
| 16.1-26 | 6 | 20 | 25 |
| More than 26 | 8 | 25 | 30 |
| B. Ground cover of perennial plants expressed as a percent of the ground cover in the exclosures | | | |
| Up to 10 | 90 | 80 | 85 |
| 10.1-16 | 70 | 80 | 85 |
| 16.1-26 | 70 | 80 | 90 |
| More than 26 | 80 | 90 | NA |
| C. Biomass yield of perennial plants expressed as a percent of the biomass yield | | | |
| Up to 10 | 90 | 80 | 80 |
| 10.1-16 | 70 | 80 | 85 |
| 16.1-26 | 70 | 80 | 90 |
| More than 26 | 80 | 90 | NA |

38. On page 44940, PART 716, "SPECIAL PERFORMANCE STANDARD" is corrected to read "SPECIAL PERFORMANCE STANDARDS".
39. On page 44940, Sec. 716.2(a)(1), line 6, "in excess if that" is corrected to read "in excess of that".
40. On page 44940, Sec. 716.3(a), line 3, "seams running through" is corrected to read "seams running through".
41. On page 44941, Sec. 716.4(c), line 9, "for these operations" is corrected to read "for those operations".
42. On page 44941, Sec. 716.4(c)(1), line 6, "of thee slope in the" is corrected to read "of the slopes in the".
43. On page 44941, Sec. 716.5(c), line 2, "for anthraciate coal" is corrected to read "for anthracite coal".
44. On page 44942, (1)(ii), line 5, "quality (A dependable water" is corrected to read "quality (a dependable water".
45. On page 44944, Sec. 720.14(a), line 6, "other office designed by" is corrected to read "other office designated by".
46. On page 44944, PART 722, under heading 722.17, "Pattern of violation." is corrected to read "Pattern of violation."
47. On page 44945, Sec. 722.11(e), line 4, "written order when the" is corrected to read "written notice when the".
48. On page 44945, Sec. 722.15(e), line 7, "reprot which led to" is corrected to read "report which lead to".
49. On page 44945, Sec. 722.16(c), line 4, "under part 2033 of this" is corrected to read "under Part 723 of this".
50. On page 44945, Sec. 722.17(b)(1), line 4, "single section Parts 715" is corrected to read "single section of Parts 715".
51. On page 44945, Sec. 722.17(b)(2), line 4, "of part 715, 716" is corrected to read "of Parts 715, 716".
52. On page 44945, Sec. 722.17(c)(3), line 14, "for the proceeding half year" is corrected to read "for the preceding half year".
53. On page 44946, " Sec. 723.12. When to assess after a notice of" is corrected to read " Sec. 723.11 When assessment made."
54. On page 44947, Sec. 723.13, line 6, "25 and below-500" is corrected to read "25 and below- \$500".
55. On page 44947, Sec. 723.14(a), line 9, "\$7 50.00, whichever isg reater" is corrected to read "\$750.00, whichever is greater".
56. On page 44947, Sec. 723.14(b)8 line 4, after "listed in" strike the next three lines and insert " Sec. 723.12 of this part and any economic benefit to the permittee or operator which resulted from a failure to comply".
57. On page 44948, line 1, "identified under part 2030" is corrected to read "identified under Part 720".
58. On page 44948, Sec. 725.16(d), line 3, "prior to the executive of" is corrected to read "prior to the execution of".
59. On page 44949, Sec. 725.18(b), line 3, "at least ten days' written" is corrected to read "at least ten days written".
60. On page 44949, Sec. 725.19, line 4, "ment. Circular 74-7" is corrected to read "ment Circular 74-7."

61. On page 44951, Sec. 740.16(e)(2), line 4, "cooperative agreements grants" is corrected to read "cooperative agreement grants".
62. On page 44952, Sec. 740.21(a)(4)(i), line 7, "the benefits or, or be" is corrected to read "the benefits of, or be".
63. On page 44953, Sec. 795.12(a)(1), line 5, "accordance with Sec. 295.16." is corrected to read "accordance with Sec. 795.16."
64. On page 44954, Sec. 795.15(b), line 3, "is denied and of the reasons" is corrected to read "is denied and the reasons".
65. On page 44954, Sec. 795.17(b)(1)(iv), line 1, "Meets the Occupational" is corrected to read "Meets the requirements of the Occupational".
66. On page 44954, Sec. 795.17(b)(2), line 3, "statement under paragraph" is corrected to read "statement under".
67. On page 44955, Sec. 830.13(d), line 3, "a report of investigation" is corrected to read "a report of the investigation".

[FR Doc. 77-27062 Filed 9-15-77; 8:45 am]