

FEDERAL REGISTER: 44 FR 52098 (September 6, 1979)

DEPARTMENT OF THE INTERIOR

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

30 CFR Chapter VII
Performance Bonding

ACTION: Notice of intent to commence rulemaking.

SUMMARY: OSM intends to amend portions of 30 CFR Chapter VII, Subchapter J, Bond and Insurance Requirements for Surface Coal Mining and Reclamation Operations.

ADDRESSES: FOR FURTHER INFORMATION CONTACT: David R. Maneval, Assistant Director, Technical Services and Research, Office of Surface Mining, U.S. Department of the Interior, Washington, D.C. 20240; 202-343-4264.

ADDRESS: See supplementary information below.

SUPPLEMENTARY INFORMATION:

The Mining and Reclamation Council of America (MARC), the Green Mountain Company, and the Travelers Indemnity Company submitted a petition to the Office of Surface Mining (OSM) for amendments to selected paragraphs of Subchapter J of the permanent regulatory program published in 30 CFR on March 13, 1979. Public comment on the petition was solicited through a notice published in the Federal Register on May 14, 1979. As a result of comments received and testimony presented at a public hearing held June 5, 1979, OSM has decided to initiate rulemaking to amend portions of Subchapter J to more clearly reflect the intent of Pub. L. 95-87 with respect to performance bonding of surface coal mining and reclamation operations. In accordance with the MARC petition, the following portions of the permanent regulations, Subchapter J, will be considered for amendment:

SUBCHAPTER J - BOND AND INSURANCE REQUIREMENTS FOR SURFACE COAL MINING AND RECLAMATION OPERATIONS

Sec.	
805.11	Determination of bond amount.
805.13(b)	Period of liability
805.13(e)	Alternative postmining land use plan exemption.
(proposed)	
805.14(a)	Adjustment of amount.
806.11[b]	Form of the performance bond.
807.12[b]	Criteria and schedule for release of performance bond.
809(a)	Bonding requirements for underground coal mines, refuse areas, preparation plants, coal-loading facilities, and associated structures and facilities.
(proposed)	

OSM may propose to revise other portions of Subchapter J as deemed necessary. OSM intends to publish proposed amendments to Subchapter J in the Federal Register on or before October 20, 1979. A period for public comment will follow that publication.

AVAILABILITY OF COPIES:

Copies of 30 CFR Subchapter J and the MARC petition, and additional information on the bonding regulations, are available and may be obtained at the following offices:

OSM Headquarters, U.S. Department of the Interior, South Building, Room 135, 1951 Constitution Avenue, NW., Washington, D.C. 20240; 202-343-4728.

OSM Region I, First Floor, Thomas Hill Building, 950 Kanawha Boulevard, East Charleston, W. Va. 25301; 304-342-8125.

OSM Region II, 530 Gay Street, SW., Suite 500, Knoxville, Tenn. 37902; 615-637-8060.

OSM Region III, Federal Building and U.S. Courthouse, 46 East Ohio Street, Indianapolis, Ind. 46204; 317-269-2609.

OSM Region IV, 818 Grant Avenue, Scarritt Building; 5th Floor, Kansas City, Missouri 64106; 913-758-2193.

OSM Region V, Post Office Building, 1823 Stout Street, Denver, Colo. 80205; 303-837-5511.

Walter N. Heine, *Director*.

August 30, 1979.

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