

**§ 819.21**

surface coal mining and reclamation operation, and any other reasonably available spoil shall be used to backfill the area. Reasonably available spoil shall include spoil generated by the mining operation and other spoil located in the permit area that is accessible and available for use and that when rehandled will not cause a hazard to the public safety or significant damage to the environment. For this purpose, the permit area shall include spoil in the immediate vicinity of the auger mining operation.

(3) The coal seam mined shall be covered with a minimum of 4 feet of nonacid-, nontoxic-forming material and the backfill graded to a slope which is compatible with the approved postmining land use and which provides adequate drainage and long-term stability.

(4) Any remnant of the highwall shall be stable and not pose a hazard to the public health and safety or to the environment.

(5) Spoil placed on the outslope during previous mining operations shall not be disturbed if such disturbances will cause instability of the remaining spoil or otherwise increase the hazard to the public health and safety or to the environment.

**§ 819.21 Auger mining: Protection of underground mining.**

Auger holes shall not extend closer than 500 feet (measured horizontally) to any abandoned or active underground mine workings, except as approved in accordance with § 816.79 of this chapter.

**PART 820—SPECIAL PERMANENT PROGRAM PERFORMANCE STANDARDS—ANTHRACITE MINES IN PENNSYLVANIA**

Sec.

820.1 Scope.

820.2 Objective.

820.11 Performance standards: Anthracite mines in Pennsylvania.

AUTHORITY: Secs. 102, 201, 501, 503, 504, 529, Pub. L. 95-97, 91 Stat. 448, 449, 467, 470, 471, 514 (30 U.S.C. 1202, 1211, 1251, 1253, 1254, 1279).

**30 CFR Ch. VII (7-1-10 Edition)**

**§ 820.1 Scope.**

This part sets forth environmental protection performance standards for anthracite surface coal mining and reclamation operations in Pennsylvania.

[44 FR 15449, Mar. 13, 1979]

**§ 820.2 Objective.**

This part implements subsection 529(a) of the Act, which requires the Secretary to adopt special performance standards for anthracite mines regulated by special environmental protection performance standards of a State as of the date of enactment of the Act.

[44 FR 15449, Mar. 13, 1979]

**§ 820.11 Performance standards: Anthracite mines in Pennsylvania.**

Anthracite mines in Pennsylvania, as specified in section 529 of the Act, shall comply with its approved State program, including Commonwealth of Pennsylvania statutes and regulations, and revisions thereto that are approved by OSM pursuant to part 732 of this chapter.

[47 FR 44943, Oct. 12, 1982]

**PART 822—SPECIAL PERMANENT PROGRAM PERFORMANCE STANDARDS—OPERATIONS IN ALLUVIAL VALLEY FLOORS**

Sec.

822.1 Scope.

822.10 Information collection.

822.11 Essential hydrologic functions.

822.12 Protection of agricultural activities.

822.13 Monitoring.

AUTHORITY: Pub. L. 95-87, 30 U.S.C. 1201 *et seq.*

SOURCE: 48 FR 29822, June 28, 1983, unless otherwise noted.

**§ 822.1 Scope.**

This part sets forth additional requirements for surface coal mining and reclamation operations on or which affect alluvial valley floors in the arid and semiarid regions of the country.

**§ 822.10 Information collection.**

The information collection requirements contained in § 822.13 have been approved by the Office of Management