§ 870.20 How to calculate excess moisture in LOW-rank coals.

Here are the requirements for calculating the excess moisture in low-rank coals for a calendar quarter. ASTM standards D2234-89, Standard Test Methods for Collection of a Gross Sample of Coal; D3302-91, Standard Test Method for Total Moisture in Coal; and, D1412-93, Standard Test Method for Equilibrium Moisture of Coal at 96 to 97 Percent Relative Humidity and 30 °C are incorporated by reference as published in the 1994 Annual Book of ASTM Standards, Volume 05.05. The Director of the Federal Register approved this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Each applicable ASTM standard is incorporated as it exists on the date of the approval, and a notice of any change in it will be published in the Federal Register. You may obtain copies from the ASTM, 100 Barr Harbor Drive, West Conshohocken, Pennsylvania 19428. A copy of the ASTM standards is available for inspection at the Office of Surface Mining Reclamation and Enforcement, Administrative Record, Room 120, 1951 Constitution Avenue, NW.,
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Washington, DC, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

(a)(1) Calculate the excess moisture percentage using one of these equations:

\[
EM = TM - IM
\]

or

\[
EM = TM - \left( IM \times \frac{100 - TM}{100 - IM} \right)
\]

(b) Multiply the excess moisture percentage by the tonnage from the bona fide sales, transfers of ownership, or uses by the operator during the quarter.

Table 1

Calculating TOTAL moisture percentage in LOW-rank coals

- Collect and test each day you ship or use coal
- Collect a sample of as-shipped or used coal. Follow procedures in ASTM D2234-89.
- Test the sample for daily total moisture percentage. Follow laboratory procedures in ASTM D3302-91.
- Obtain prior OSM approval for use of other procedures.

- Convert test results to quarterly figures and report them
- Convert daily total moisture percentage to quarterly total moisture percentage:
  1. Multiply daily total moisture percentage by daily tonnage shipped or used. You now have daily total moisture tonnage.
  2. Add up daily total moisture tonnage for the quarter.
  3. Add up daily tonnage shipped or used in the quarter.
  4. Divide by 3.
- Report this total moisture percentage in low-rank coal for the quarter on OSM-1, Coal Reclamation Fee Report.

\(^1\) See §870.20 for the incorporation by reference of the ASTM standards.
§ 870.21 Late payments.

(a) Fee payments postmarked later than 30 days after the calendar quarter for which the fee was owed are subject to interest. Late reclamation fee payments are subject to interest at the rate established by the U.S. Department of the Treasury for late charges on payments to the Federal Government. The Treasury current value of funds rate is published annually in the Federal Register and on Treasury’s Web site.

(b) We will charge interest on unpaid reclamation fees from the 31st day following the end of the calendar quarter for which the fee payment is owed to the date of payment. If you are delinquent, we will bill you monthly and initiate whatever action is necessary