§ 904.26 Required plan amendments.

Pursuant to 30 CFR 884.15, Arkansas is required to submit for OSM’s approval the following proposed plan amendment by the date specified.

(a)–(b) [Reserved]

[59 FR 542, Jan. 5, 1994]

PART 905—CALIFORNIA

See also:

905.700 California Federal Program.
905.701 General.
905.702 Exemption for coal extraction incidental to the extraction of other minerals.
905.707 Exemption for coal extraction incidental to government-financed highway or other construction.
905.761 Areas designated unsuitable for surface coal mining by act of Congress.
905.762 Criteria for designating areas as unsuitable for surface coal mining operations.
905.764 Process for designating areas unsuitable for surface coal mining operations.
905.772 Requirements for coal exploration.
905.773 Requirements for permits and permit processing.
905.774 Revision; renewal; and transfer, assignment, or sale of permit rights.
905.775 Administrative and judicial review of decisions.
905.777 General content requirements for permit applications.
905.778 Permit applications—Minimum requirements for legal, financial, compliance, and related information.
905.779 Surface mining permit applications—Minimum requirements for information on environmental resources.
905.780 Surface mining permit applications—Minimum requirements for reclamation and operation plan.
905.783 Underground mining permit applications—Minimum requirements for information on environmental resources.
905.784 Underground mining permit applications—Minimum requirements for reclamation and operation plan.
905.790 Requirements for permits for special categories of mining.
905.795 Small operator assistance program.
905.800 Bond and insurance requirements for surface coal mining and reclamation operations under regulatory programs.
905.815 Performance standards—Coal exploration.
905.816 Performance standards—Surface mining activities.
905.817 Performance standards—Underground mining activities.
905.819 Special performance standards—Auger mining.
905.822 Special performance standards—Operations in alluvial valley floors.
905.823 Special performance standards—Operations on prime farmland.
905.824 Special performance standards—Mountaintop removal.
905.827 Special performance standards—Coal preparation plants not located within the permit area of a mine.
905.828 Special performance standards—In situ processing.
905.842 Federal inspections.
905.843 Federal enforcement.
905.845 Civil penalties.
905.846 Individual civil penalties.
905.955 Certification of blasters.

AUTHORITY: 30 U.S.C. 1201 et seq.

SOURCE: 53 FR 26575, July 13, 1988, unless otherwise noted.

§ 905.700 California Federal Program.

(a) This part contains all rules that are applicable to surface coal mining operations in California which have been adopted under the Surface Mining Control and Reclamation Act of 1977.

(b) Certain of the rules in this part cross-reference pertinent parts of the permanent program regulations in this Chapter. The full text of a cross-referenced rule is in the permanent program rule cited under the relevant section of the California Federal program.

(c) This part applies to all coal exploration and surface coal mining and reclamation operations in California conducted on non-Federal and non-Indian lands. To the extent required by 30 CFR part 740, this part also applies to operations on Federal lands in California.

(d) The information collection requirements contained in this part have already been approved by the Office of Management and Budget under 44 U.S.C. 3507 in its approval of the information collection requirements contained in the permanent regulatory program.

(e) The following provisions of California law generally provide for more stringent land use and environmental control and regulation of some aspects of surface coal mining operations than do the provisions of the Surface Mining Control and Reclamation Act of 1977, and the regulations in this chapter. Therefore, pursuant to section 505(b) of SMCRA, these provisions shall not generally be considered to be inconsistent.
§ 905.701 General.

(a) Sections 700.5, 700.11, 700.12, 700.13, 700.14, 700.15 and part 701 of this chapter shall apply to coal exploration and surface coal mining and reclamation operations in California.

(b) Beginning on the effective date of this program, each surface coal mining and reclamation operation in California shall comply with Subchapter B of this chapter until issuance of a permanent program permit under the provisions of Subchapter C of this chapter.

(c) Records required by §700.14 of this chapter to be made available locally to the public shall be made available in the OSMRE Albuquerque Field Office.

§ 905.702 Exemption for coal extraction incidental to the extraction of other minerals.

Part 702 of this chapter, Exemption for Coal Extraction Incidental to the Extraction of Other Minerals, shall apply to any person who conducts coal extraction incidental to the extraction of other minerals for purposes of commercial use or sale.

[54 FR 32123, Dec. 20, 1989]

§ 905.707 Exemption for coal extraction incidental to government-financed highway or other construction.

Part 707 of this chapter, Exemption for Coal Extraction Incident to Government-Financed Highway or Other Construction, shall apply to surface coal mining and reclamation operations.

§ 905.761 Areas designated unsuitable for surface coal mining by act of Congress.

Part 761 of this chapter, Areas Designated by Act of Congress, shall apply to surface coal mining operations.

§ 905.762 Criteria for designating areas as unsuitable for surface coal mining operations.

Part 762 of this chapter, Criteria for Designating Areas Unsuitable for Surface Coal Mining Operations, shall apply to surface coal mining operations.

with SMCRA unless, in a particular instance, the Federal program regulations establish more stringent environmental or land use controls:


(5) The California Surface Mining and Reclamation Act of 1975, Cal. Pub. Res. Code section 2710 et seq. (West 1984), as it relates to coal mining, except to the extent that it regulates other activities that are not regulated by SMCRA.


(f) The following are the California laws that generally interfere with the achievement of the purposes and requirements of SMCRA and are, in accordance with section 504(g) of SMCRA, preempted and superseded. Other California laws may in an individual situation interfere with the purposes and achievements of SMCRA and may be preempted and superseded with respect to the performance standards of §§905.815 through 905.828 as they affect a particular coal exploration or surface mining operation by publication of a notice to that effect in the FEDERAL REGISTER.

(1) The California Surface Mining and Reclamation Act of 1975, Cal. Pub. Res. Code section 2710 et seq. (West 1984), as it relates to coal mining, except to the extent that it regulates other activities that are not regulated by SMCRA.

(2) Cal. Labor Code section 7990 et seq. (West Supp. 1988) (licensing of blasting), except as it applies to other activities that are not regulated by SMCRA.

(3) California Solid Waste Management and Resource Recovery Act of 1972, Cal. Gov. Code section 66770 et seq. (West 1983), except to the extent that it regulates other activities that are not regulated by SMCRA.