

**Surface Mining Reclamation and Enforcement, Interior**

**§ 902.25**

Original amendment submission date	Date of final publication	Citation/description
May 11, 2004 .....	November 29, 2005	11 AAC 90.043(b); 90.045(a), (b), (c), (d), and (e); 90.057; 90.085(a)(5) and (c); 90.089(a)(1); 90.101(a) and (b); 90.173(a)(2), (b)(2) and (3); 90.179(a)(3), (b)(1) through (4) and (c); 90.185(a)(4) and (5); 90.201(d) and (f); 90.211(a); 90.331(d)(1); deletion of 90.311(g); 90.321(e); 90.323(a) through (c); 90.325(b) and (c); 90.327(b)(2); 90.331(e) and (h); 90.336(a), (b)(1) and (2), and (g); 90.337(a); 90.345(e); 90.349(i); 90.375(f) and (g); 90.391(b), (c), (h)(2), (i), and (n); 90.395(a); 90.397(a); 90.401(a), (d), and (e); 90.407(c) and (f); 90.443(a), (k)(2), (i), and (m); 90.447(c)(1); 90.461(b), (g), (h) and (i); 90.491(f)(1), (3) and (4); 90.601(h) and (i); 90.629(a); 90.631(a); 90.635(a) and (b); 90.637(a) and (b); 90.639(a) through (c); 90.641(a) through (d); 90.650 through 90.658; 90.701(a), (b), (c)(1) and (2), and (d)(1) and (2); 90.901(a)(2); and 90.911.

[62 FR 9934, Mar. 5, 1997, as amended at 62 FR 15117, Mar. 31, 1997; 64 FR 8514, Feb. 22, 1999; 70 FR 71394, Nov. 29, 2005]

**§ 902.16 Required program amendments.**

Pursuant to 30 CFR 732.17(f)(1), Alaska is required to submit to OSM by the specified date the following written, proposed program amendments, or a description of an amendment to be proposed that meets the requirements of SMCRA and 30 CFR Chapter VII and a timetable for enactment that is consistent with Alaska's established administrative or legislative procedures.

(a) By October 19, 1992, Alaska shall amend its program as follows:

(1) At 11 AAC 90.023(f)(3) by providing ownership and control regulations to meet the requirements of OSM's May 11, 1989, 30 CFR 732 notification.

(2)–(13) [Reserved]

(14) At 11 AAC 90.457(c)(3) to require consultation with, and approval by the State forestry and wildlife agencies with regard to the minimum planting and stocking arrangements for areas to be developed for fish and wildlife habitat, recreation, shelter belts, or forest products postmining land use as required at 30 CFR 816.116(b)(3)(i).

(15) To resubmit standards for revegetation success per the requirement at 30 CFR 816.116(a)(1).

(16)–(17) [Reserved]

(b) [Reserved]

[57 FR 37423, Aug. 19, 1992, as amended at 61 FR 48842, Sept. 17, 1996; 62 FR 15117, Mar. 31, 1997; 64 FR 8514, Feb. 22, 1999; 70 FR 71394, Nov. 29, 2005]

Original Amendment submission date	Date of final publication	Citation/description
May 28, 1992 .....	November 16, 1992	Emergency response reclamation program.

[62 FR 9935, Mar. 5, 1997]

**§ 902.20 Approval of Alaska abandoned mine land reclamation plan.**

The Alaska Reclamation Plan, as submitted on August 17, 1983, is approved effective December 23, 1983. Copies of the approved plan are available at:

(a) Department of Natural Resources, Division of Mining and Water Management, 3601 C Street, Suite 800, Anchorage, AK 99503–5925, Telephone: (907)762–2149.

(b) Office of Surface Mining Reclamation and Enforcement, Western Regional Coordinating Center, Technical Library, 1999 Broadway, Suite 3320, Denver, Colorado 80202–5733.

[60 FR 33724, June 29, 1995, as amended at 60 FR 54593, Oct. 25, 1995]

**§ 902.25 Approval of Alaska abandoned mine land reclamation plan amendments.**

The following is a list of the dates amendments were submitted to OSM, the dates when the Director's decision approving all, or portions of these amendments, were published in the FEDERAL REGISTER and the State citations or a brief description of each amendment. The amendments in this table are listed in order of the date of final publication in the FEDERAL REGISTER.

## PART 903—ARIZONA

- Sec.  
 903.700 Arizona Federal program.  
 903.701 General.  
 903.702 Exemption for coal extraction incidental to the extraction of other minerals.  
 903.707 Exemption for coal extraction incidental to government-financed highway or other construction.  
 903.736 Permit fees.  
 903.761 Areas designated unsuitable for surface coal mining by act of Congress.  
 903.762 Criteria for designating areas as unsuitable for surface coal mining operations.  
 903.764 Process for designating areas unsuitable for surface coal mining operations.  
 903.772 Requirements for coal exploration.  
 903.773 Requirements for permits and permit processing.  
 903.774 Revision; renewal; and transfer, assignment, or sale of permit rights.  
 903.775 Administrative and judicial review of decisions.  
 903.777 General content requirements for permit applications.  
 903.778 Permit applications—Minimum requirements for legal, financial, compliance, and related information.  
 903.779 Surface mining permit applications—Minimum requirements for information on environmental resources.  
 903.780 Surface mining permit applications—Minimum requirements for reclamation and operation plan.  
 903.783 Underground mining permit applications—Minimum requirements for information on environmental resources.  
 903.784 Underground mining permit applications—Minimum requirements for reclamation and operation plan.  
 903.785 Requirements for permits for special categories of mining.  
 903.795 Small operator assistance program.  
 903.800 Bond and insurance requirements for surface coal mining and reclamation operations under regulatory programs.  
 903.815 Performance standards—Coal exploration.  
 903.816 Performance standards—Surface mining activities.  
 903.817 Performance standards—Underground mining activities.  
 903.819 Special performance standards—Auger mining.  
 903.822 Special performance standards—Operations in alluvial valley floors.  
 903.823 Special performance standards—Operations on prime farmland.  
 903.824 Special performance standards—Mountaintop removal.  
 903.827 Special performance standards—Coal preparation plants not located within the permit area of a mine.

- 903.828 Special performance standards—In situ processing.  
 903.842 Federal inspections.  
 903.843 Federal enforcement.  
 903.845 Civil penalties.  
 903.846 Individual civil penalties.  
 903.955 Certification of blasters.

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

SOURCE: 60 FR 18716, Apr. 12, 1995, unless otherwise noted.

**§ 903.700 Arizona Federal program.**

(a) This part establishes a Federal program under the Surface Mining Control and Reclamation Act of 1977 (SMCRA) and applies to all coal exploration and surface coal mining and reclamation operations in Arizona conducted on non-Federal and non-Indian lands. To the extent required by 30 CFR part 740, this part also applies to surface coal mining and reclamation operations on Federal lands in Arizona.

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

(c) The following provisions of Arizona law generally provide for more stringent environmental control and regulation of some aspects of surface coal mining and reclamation 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 the Act, OSM will not generally construe such laws to be inconsistent with the Act, unless in a particular instance OSM determines that the rules in this chapter establish more stringent environmental or land use controls:

(1) The Arizona Department of Agriculture has authority to abate public nuisances, including noxious weeds and noxious weed seeds, under A.R.S. section 3-231 to 3-242. Violation of this statute is a misdemeanor.

(2) It is unlawful to injure any bird or harass any bird upon its nest or remove the nests or eggs of any bird without prior authorization of the Arizona Game and Fish Commission. A.R.S. section 17-236.