§ 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. (Reserved)

3. 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).

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

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

2. (Reserved)

3. [Reserved]

§ 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.

§ 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.

<table>
<thead>
<tr>
<th>Original amendment submission date</th>
<th>Date of final publication</th>
<th>Citation/description</th>
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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.
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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.
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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.
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903.800 Bond and insurance requirements for surface coal mining and reclamation operations under regulatory programs.
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903.823 Special performance standards—Operations on prime farmland.
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903.827 Special performance standards—Coal preparation plants not located within the permit area of a mine.

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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.