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Each party will, if it determines it to be necessary to keep this Agreement in force, change or revise its regulations or request necessary legislative action. Such changes will be made under the procedures of 30 CFR part 732 for changes to the Program and under the procedures of section 501 of SMCRA for changes to the Federal lands program.

B. DOR and the Secretary will provide each other with copies of any changes to their respective laws, rules, regulations or standards pertaining to the enforcement and administration of this Agreement.

ARTICLE XV: CHANGES IN PERSONNEL AND ORGANIZATION

Each party to this Agreement will notify the other, when necessary, of any changes in personnel, organization and funding, or other changes that may affect the implementation of this Agreement to ensure coordination of responsibilities and facilitate cooperation.

ARTICLE XVI: RESERVATION OF RIGHTS

This Agreement will not be construed as waiving or preventing the assertion of any rights that have not been expressly addressed in this Agreement that the State or the Secretary may have under laws other than SMCRA or their regulations including but not limited to those listed in appendix A.

Dated: October 26, 1999.

Frank O'Bannon,
Governor of Indiana.

Bruce Babbitt,
Secretary of the Interior.

APPENDIX A

1. The Federal Land Policy and Management Act, 43 U.S.C. 1701 *et seq.*, and implementing regulations.
2. The Mineral Leasing Act of 1920, 30 U.S.C. 181 *et seq.*, and implementing regulations, including 43 CFR part 3480.
3. The National Environmental Policy Act of 1969, 42 U.S.C. 4321 *et seq.*, and implementing regulations, including 40 CFR part 1500.
4. The Endangered Species Act, as amended, 16 U.S.C. 1531 *et seq.*, and implementing regulations, including 50 CFR part 402.
5. The Fish and Wildlife Coordination Act, as amended, 16 U.S.C. 661 *et seq.*; 48 Stat. 401.
6. The National Historic Preservation Act of 1966, 16 U.S.C. 470 *et seq.*, and implementing regulations, including 36 CFR part 800.
7. The Clean Air Act, 42 U.S.C. 7401 *et seq.*, and implementing regulations.
8. The Federal Water Pollution Control Act, 33 U.S.C. 1251 *et seq.*, and implementing regulations.
9. The Resource Conservation and Recovery Act of 1976, 42 U.S.C. 6901 *et seq.*, and implementing regulations.

10. The Reservoir Salvage Act of 1960, amended by the Preservation of Historical and Archaeological Data Act of 1974, 16 U.S.C. *et seq.*
 11. Executive Order 11593 (May 13, 1971), Cultural Resource Inventories on Federal Lands.
 12. Executive Order 11988 (May 24, 1977), for flood plain protection.
 13. Executive Order 11990 (May 24, 1977), for wetlands protection.
 14. The Mineral Leasing Act for Acquired Lands, 30 U.S.C. 351 *et seq.*, and implementing regulations.
 15. The Stock Raising Homestead Act of 1916, 43 U.S.C. 291 *et seq.*
 16. The Constitution of the United States.
 17. Surface Mining Control and Reclamation Act of 1977, 30 U.S.C. 1201 *et seq.*
 18. 30 CFR Chapter VII.
 19. The Constitution of the State of Indiana.
 20. Indiana Surface Coal Mining and Reclamation Act (P.L. 1-1995, SEC. 27) at Ind. Code 14-34 *et seq.*
 21. Indiana Department of Natural Resources, Coal Mining and Reclamation Operations, Rules and Regulations, 310 Ind. Admin. Code 12.
- [64 FR 70580, Dec. 17, 1999]

PART 915—IOWA

- Sec.
915.1 Scope.
915.10 State regulatory program approval.
915.15 Approval of Iowa regulatory program amendments.
915.16 Required program amendments. [Reserved]
915.20 Approval of Iowa abandoned mine land reclamation plan.
915.25 Approval of Iowa abandoned mine land reclamation plan amendments.

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

§915.1 Scope.

This part contains all rules applicable only within Iowa which have been adopted under the Surface Mining Control and Reclamation Act of 1977.

[46 FR 5891, Jan. 21, 1981]

§915.10 State regulatory program approval.

The Secretary approved the Iowa regulatory program, as submitted February 28, 1980, and amended and clarified on June 11, 1980, and December 15, 1980, effective April 10, 1981. Copies of the approved program are available at:

Surface Mining Reclamation and Enforcement, Interior

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(a) Iowa Department of Agriculture and Land Stewardship, Division of Soil Conservation, Henry A. Wallace Building, E. 9th and Grand Streets, Des Moines, IA 50319.

(b) Office of Surface Mining Reclamation and Enforcement, Mid-Continent Regional Coordinating Center, Alton Federal Building, 501 Belle Street, Alton, IL 62002.

[64 FR 20166, Apr. 26, 1999]

§ 915.15 Approval of Iowa regulatory program 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.

Original amendment submission date	Date of final publication	Citation/description
October 1, 1981	May 26, 1982	IAC 780-4.6(8), 4.35(13).
June 3, 1982	September 8, 1982	IC 83-14.2, .7(a).
September 28, 1982	January 4, 1983	IAC 4.311(2); 4.322(13); 4.522(11); 4.523(15), (38), (60); 4.55(1), (5).
May 9, 1984	December 7, 1984	IAC 4.523(63), 4.322(14).
January 31, 1985	May 24, 1985	IAC 780-4.6(83), .42(1)(83).
July 25 and 26, 1985	May 9, 1986	IAC 780-4.6(1), (4), .35(1), (6), .37(2), .321(8), .361(9); and 780-Chapter 26.
June 16, 1986	October 7, 1986	Iowa Senate File 2175: State Government Reorganization Bill.
August 12, 1986	December 11, 1986	IAC 4.522(15)c, g.
April 28, 1987	October 7, 1987	I.C. 83.7.
June 9, 1988	December 9, 1988	I.C. 83.26.
December 26, 1990 ..	November 6, 1991 ..	IAC 27-40.1 through .7, .11, .12, .13, .21, .22, .23, .30 through .39, .41, .51, .61 through .68, .71 through .74, .81, .82, .91 through .99.
November 23, 1992 ..	February 8, 1994	IAC 27-40.1, .3 through .7, .11, .12, .13, .21, .22, .23, .30 through .39, .41, .51, .61 through .68, .71, .73, .74, .75, .81, .82, .92.
April 13, 1994	April 6, 1995	IAC 27-40.3(207), .4(9), .31(14), .32(207), .51(7), .63(20), .74(3), .75(2).
December 4, 1996	April 7, 1997	IAC 40.4(10); .38 (2) and (3); 64 (6) through (9).
September 28, 1998 ..	November 26, 1999 ..	Revegetation Success Guidelines dated April 1999 (partial approval).
August 17, 2001	December 27, 2001 ..	Sections III.H, IV.E, and V.A.2(l) of Iowa's April 1999 Revegetation Success Standards and Statistically Valid Sampling Techniques.
June 14, 2002	November 6, 2002 ..	IAC 27-40.71(207).
February 24, 2004	June 1, 2004	IAC 27-40.1(1), 40.1(4); 40.3(207); 40.4(207), 40.4(2), 40.4(3), 40.4(9), 40.4(11); 40.5(207); 40.6(207), 40.6(2); 40.7(207); 40.11(207); 40.12(207); 40.13(207); 40.21(207), 40.21(4) through 40.21(6); 40.22(207), 40.22(2); 40.23(207); 40.30(207), 40.30(1), 40.30(4); 40.31(207), 40.31(1) through 40.31(9), 40.31(12) through 40.31(15); 40.32(207), 40.32(1), 40.32(2), 40.32(4); 40.33(207); 40.34(207), 40.34(2), 40.34(3); 40.35(207), 40.35(3); 40.36(207); 40.37(207), 40.37(4); 40.38(207), 40.38(2), 40.38(3); 40.39(207); 40.41(207); 40.51(207); 40.61(207), 40.61(4); 40.62(207); 40.63(207), 40.63(6), 40.63(9); 40.64(207), 40.64(4), 40.64(6); 49.65(207); 40.66(207); 40.67(207); 40.71(207); 40.73(2)g, 40.73(4)d; 40.74(207), 40.74(9); 40.75(207), 40.75(2); 40.81(207); 40.82(207); 40.92(8).
December 27, 2004 ..	May 3, 2005	Section III.F and Section IV.A and G of Iowa's April 1999 Revegetation Success Standards and Statistically Valid Sampling Techniques.
August 19, 2005	January 31, 2006 ...	IAC 27C40.41(3) and 40.41(4).
August 25, 2011	May 2, 2012	Sections: IAC 27-40.1(17A, 207)(1); 40.3(207); 40.4(207); 40.5(207); 40.6(207); 40.7(207); 40.11(207); 40.12(207); 40.13(207); 40.21(207)(3) and (7); 40.22(207)(1); 40.23(207); 40.30(207); 40.31(207) (9), (10), and (11); 40.32(207)(7); 40.33(207); 40.34(207); 40.35(207); 40.36(207)(2); 40.37(207); 40.38(207)(6); 40.39(207)(2) and (3); 40.41(207); 40.51(207); 40.61(207); 40.62(207); 40.63(207); 40.64(207); 40.65(207); 40.66(207); 40.67(207); 40.71(207); 40.74(207); 40.75(207); 40.81(207); 40.82(207); 40.91(17A, 207); 40.92(17A, 207)(8); 40.93(17A, 207); 40.94(17A, 207); 40.95(17A, 207); 40.96(17A, 207); 40.97(17A, 207); 40.98(17A, 207); and 40.99(17A, 207).

[62 FR 9940, Mar. 5, 1997, as amended at 62 FR 16492, Apr. 7, 1997; 64 FR 66390, Nov. 26, 1999; 66 FR 66747, Dec. 27, 2001; 67 FR 67524, Nov. 6, 2002; 69 FR 30825, June 1, 2004; 70 FR 22794, May 3, 2005; 71 FR 5007, Jan. 31, 2006; 77 FR 25871, May 2, 2012]

§915.16

§915.16 Required program amendments. [Reserved]

§915.20 Approval of Iowa abandoned mine land reclamation plan.

The Secretary approved the Iowa abandoned mine land reclamation plan, as submitted on December 17, 1982, effective March 28, 1983. Copies of the approved plan are available at:

- (a) Iowa Department of Agriculture and Land Stewardship, Division of Soil Conservation, Henry A. Wallace Building, E. 9th and Grand Streets, Des Moines, IA 50319.
- (b) Office of Surface Mining Reclamation and Enforcement, Mid-Continent Regional Coordinating Center, Alton

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Federal Building, 501 Belle Street, Alton, IL 62002.

[64 FR 20167, Apr. 26, 1999]

§915.25 Approval of Iowa 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 the order of the date of final publication in the FEDERAL REGISTER.

Original amendment submission date	Date of final publication	Citation/description
June 14, 2002	December 5, 2002	Emergency response reclamation program; AMLR Plan sections I. through IV., V.B. and C.; Iowa Code (IC) 207.21 subsection 2.a.(2) through 2.b. and subsection 3.d.; 207.23; and 207.29.

[67 FR 72379, Dec. 5, 2002]

PART 916—KANSAS

- Sec.
- 916.1 Scope.
- 916.10 State regulatory program approval.
- 916.12 State regulatory program and proposed program amendment provisions not approved.
- 916.15 Approval of Kansas regulatory program amendments.
- 916.16 Required regulatory program amendments. [Reserved]
- 916.20 Approval of Kansas abandoned mine land reclamation plan.
- 916.25 Approval of Kansas abandoned mine land reclamation plan amendments.

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

§916.1 Scope.

This part contains all rules applicable only within Kansas which have been adopted under the Surface Mining Control and Reclamation Act of 1977.

[46 FR 5898, Jan. 21, 1981]

§916.10 State regulatory program approval.

The Secretary conditionally approved the Kansas regulatory program, as submitted on February 26, 1980, and amended on October 31, 1980, effective

January 21, 1981. He fully approved the Kansas program, as amended on May 20, 1981, effective April 14, 1982. Copies of the approved program are available at:

- (a) Kansas Department of Health and Environment, Surface Mining Section, 4033 Parkview Drive, Frontenac, KS 66763.
- (b) Office of Surface Mining Reclamation and Enforcement, Mid-Continent Regional Coordinating Center, Alton Federal Building, 501 Belle Street, Alton, IL 62002.

[64 FR 20167, Apr. 26, 1999]

§916.12 State regulatory program and proposed program amendment provisions not approved.

(a) The following provisions of the Kansas Administrative Regulations (K.A.R.) as submitted on April 23, 1986, and January 26, 1988, are disapproved: Paragraphs (c) and (d) of K.A.R. 47-9-1 insofar as they incorporate by reference 30 CFR 816.133(d) and 817.133(d), which establish criteria for variances from approximate original contour requirements.