



pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION



Bureau of Mining Programs

MRAB

OSM Program Consistency Concepts

Surface Mining Definition

- Keck Decision
- Incorporate Federal aspects

▶ Permitting

- Eliminate Certified mail requirement (86.31)
- Change Fly-ash disposal to Beneficial Use(86.54)
- Remove requirement to report date of MSHA id issuance (86.62(a)(3))
- Correct MSHA name (86.84(a)(3)(ii))
- Remove the word “augmented” 86.151(d)

Temporary Cessation

- Incorporate legislative change, as applicable
- Allow more than 180 days

Bonding

- *Review value of Negotiable securities(86.158(b))
- *Include legal/liquidation costs(86.158(b))
- Remove reference to deep mining for AEBL(86.162a)
 - *Required Program Amendments

Civil Penalties

- Update threshold for assessment (86.193(b))

Cleanup

- 86.193 change DER to DEP
- 86.238 insert current form number

RFGs

Insert concept of designating a certain amount to back the FGs (86.281)

Include reference to a reserve (86.281)

Change BF wording to match statute(86.284(d))

Chapter 87

- Add reference to Chapter 96 (87.102(f))
- 10-year storm events (87.103)
- 87.117 update reference to chapter 92 to be 92a

Chapter 88

- *Update definition of Haul Road to include certain public roads (88.1)
- Correct Typo in Road definition (88.1)
- Add reference to Chapter 96 (88.92(f), 88.292)
- 10-year storm events (88.93, 88.188, 88.293)
- 88.106 (88.187, 88.202, 88.306) update reference to chapter 92 to be 92a
- Delete reference to expert witness fees (88.107)

Chapter 89

- 89.52 Correct the limit to remove the alkaline manganese and passive treatment exemptions
- Add reference to Chapter 96 (89.52(h))
- 10-year storm events (89.53)
- 89.59(a)(3) update reference to chapter 92 to be 92a

Chapter 90

- 90.102 Add reference to Chapter 96
- 10-year storm events (90.103)
- 90.116(a) update reference to chapter 92 to be 92a
- 90.201 add to preferred site adjacent areas



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717-787-5103