

*Relationship to Existing and Planned Land Uses* (p. xx): the reference to 30 CFR 884.13(f)(3) has been changed to 30 CFR 884.13(e)(3).

*Social, Economic, and Environmental Conditions* (p. xx): the reference to 30 CFR 884.13(f)(5) has been changed to 30 CFR 884.13(f)(1), (2), and (3). A reference to Section 19 of the AML Plan has been added after the requirement of a general description of endangered and threatened plants, fish and wildlife, and their habitats.

*Objectives* (pp. 3-1, 3-2): subsections (g), (h), (i), pertaining to noncoal mining, and (j), pertaining to construction of public facilities in communities impacted by coal development, have been deleted. Subsection (f) has been revised to reflect the rules contained in 30 CFR 875.12, pertaining to eligible lands affected by noncoal mining. The last paragraph of the section has been revised to address lower priority sites. This section has also been revised to prohibit the use of AML monies for reclamation of sites designated for remedial action pursuant to the Uranium Mill Tailings Radiation Control Act of 1978 and the Comprehensive Environmental Response Compensation and Liability Act of 1980.

*Priority I and II Sites* (p. 3-2): the heading has been revised to include priority II sites.

*Priority III Sites* (p. 3-4): this section has been revised to clarify that problems designated as priority I or II sites may also qualify as priority III problems.

*Environmental Goals* (p. 3-5): this section was added. It states that the Commonwealth of Kentucky (Commonwealth) resources to be protected or enhanced through AML reclamation include, but are not limited to, important wildlife habitats, endangered or threatened plants and animals or their critical habitats, natural areas, wild and scenic rivers, wetlands, floodplains, soil and water, recreational resources, and agricultural productivity.

*Phase II Inventory* (p. 3-6): references to the Abandoned Mine Land Inventory System, and the requirements of 30 CFR 886.23(b), pertaining to reporting of completed AML projects to OSM, have been added.

*Small Operator Goals* (pp. 3-6 to 3-8): this section has been revised to reference the authorizing statute at Kentucky Revised Statutes (KRS) 350.450. Also, it is noted that small operators are now defined as those who are anticipated to mine less than 300,000 tons of coal per year. The principal goal articulated in this section is to maximize the participation of small operators in the bidding for AML

reclamation projects that require some incidental coal removal.

*Marketable Mineral Recovery* (pp. 3-8, 3-9): the next to last paragraph of this section has been revised to allow all contractors, rather than just small operators, to participate in the bidding for AML projects that involve incidental coal removal, although small operators will still receive preference. The change was made because small operators may occasionally lack the expertise, equipment, access, etc., to perform the needed work.

*Bond Forfeiture Projects* (p. 3-9): the heading has been changed from "Supplementation of Eligible Bond Forfeiture Sites" to "Bond Forfeiture Projects." The section was further revised by deleting all but the first paragraph, and by adding a paragraph that states that it is the policy of the Kentucky Division of Abandoned Mine Lands (DAML) that only eligible bond forfeiture sites are covered by the AML plan and that bond forfeiture sites must meet all priority and grant submission requirements that all other AML problem sites meet.

*Water Supply Projects* (p. 3-10): a new section has been added to address the requirements at section 403(b)(1) of SMCRA, which authorizes States and Tribes to use up to 30 percent of their annual AML grants to fund projects for water supply facilities in areas that have suffered coal mining related impacts to drinking water supplies.

*Project Selection* (pp. 4-8 to 4-11): the reference to "supplemental bond forfeiture reclamation" has been deleted. This section has also been revised to reflect the decentralization of the project selection process and the process by which grant application elements are prepared for each project.

*Coordination with RAMP, Indian, and Other Reclamation Programs* (pp. 5-1 to 5-4): all references to the "Soil Conservation Service" and its acronym, "SCS", were replaced with references to the "Natural Resources Conservation Service" or its acronym, "NRCS." On page 5-1, second paragraph, second sentence, the phrase "30 CFR 884.13(f)(5)(v), Flora and Fauna of the Coalfields," was deleted and replaced with the phrase "30 CFR 884.13(f)(3), Endangered and threatened plant, fish and wildlife and their habitat." This change was made because the Federal regulation at 30 CFR 884.13(f)(5)(v) has been repealed.

*Lands for Permanent Facilities* (p. 6-1): this section has been revised to incorporate the language at KRS 350.570(3), which authorizes the Commonwealth to acquire any land adversely affected by past coal mining

practices, if acquisition is necessary for successful reclamation.

*Acquisition of Real Property by Donation* (p. 6-3): subdivision 2(e), which requires itemizations of any unpaid taxes or assessments levied, assessed or due which could operate as a lien on the interest offered, and subdivision 2(f), which states that a deed of conveyance shall be executed, acknowledged and recorded in the name of the Commonwealth after acceptance of an offer, are being deleted.

*Step-by-Step Procedure for Land Acquisition* (pp. 6-4 through 6-9): names of departments and titles of certain departmental officials have been updated.

*Management of Acquired Lands* (p. 6-9): a new section has been added to comply with the requirements at 30 CFR 884.13(c)(4), which requires a description of policies and procedures regarding land acquisition, management and disposal.

*Disposition of Reclaimed Lands* (p. 6-10): this section has been revised to require that the appraised value of a property be stated in the notice.

*Reclamation on Private Lands* (pp. 7-4 to 7-6): (1) Levy of Lien: this section has been revised to require that the landowner be provided a statement of the increase in market value, an itemized statement of reclamation expenses, and notice that a lien will or will not be filed in accordance with 30 CFR 882.13. (2) Satisfaction of Liens: the reference to "State Abandoned Mine Reclamation Fund" is changed to "Abandoned Mine Reclamation Fund," and Appendix 7-A and Attachment 7-1 have been deleted.

*Rights of Entry* (pp. 8-7 and 8-18): the reference to "Division of Abandoned Lands (DAL)" has been changed here and throughout the document to "Division of Abandoned Mine Lands (DAML)."

*Personnel Staffing Policies* (pp. 11-1 and 11-3): compliance with "Title VII of the Civil Rights Act of 1964 (PL 88-352)" has been added.

*Purchasing and Procurement Systems* (pp. 12-1, 12-4, and 12-6): page 12-1, paragraph 6, is being revised by deleting the reference to Public Law 95-87 (SMCRA) and adding references to Chapter 3 of the AML Plan, pertaining to Small Operator Goals, and to 30 CFR 884.13(c)(1). The subsection pertaining to purchase requisitions is being revised to reflect the current procedure for reviewing and approving requisitions. Specifically, three new paragraphs are added to the beginning of the Purchase Requisition section on page 12-4. These new paragraphs state that project plans are selectively reviewed and revised, if