

350.420 Minimization of the disturbance to hydrologic balance.

The permittee, operator, or person shall minimize disturbances to the prevailing hydrologic balance at the mine site and in associated offsite areas and to the quality and quantity of water in surface and ground water systems both during and after surface coal mining operations and during reclamation by:

- (1) Avoiding acid or other toxic mine drainage by such measures as, but not limited to:
 - (a) Preventing or removing water from contact with toxic producing deposits;
 - (b) Treating drainage to reduce toxic content which adversely affects downstream water upon being released to watercourses; and
 - (c) Casing, sealing, or otherwise managing boreholes, shafts, and wells and keeping acid or other toxic drainage from entering ground and surface waters;
- (2) Conducting surface coal mining operations so as to prevent, to the extent possible using the best technology currently available, additional contributions of suspended solids to streamflow, or runoff outside the permit area, but in no event shall contributions be in excess of requirements set by applicable state or federal law;
- (3) Constructing any siltation structures pursuant to subsection (2) of this section prior to commencement of surface coal mining operations, the structures to be certified by a qualified registered engineer to be constructed as designed and as approved in the reclamation plan;
- (4) Cleaning out and removing temporary or large settling ponds or other siltation structures from drainways after disturbed areas are revegetated and stabilized, and depositing the silt and debris at a site and in a manner approved by the cabinet; however, settling ponds and siltation structures may be left and not removed if determined to be safe and written approval is granted by the cabinet pursuant to its regulations;
- (5) Restoring recharge capacity of the mined area to approximate premining conditions;
- (6) Avoiding channel deepening or enlargement in operations requiring the discharge of water from mines; and
- (7) Such other actions as the cabinet may prescribe.

Effective: July 14, 1992

History: Amended 1992 Ky. Acts ch. 429, sec. 26, effective July 14, 1992. -- Amended 1980 Ky. Acts ch. 62, sec. 31; and ch. 377, sec. 12. -- Created 1978 Ky. Acts ch. 330, sec. 5, effective May 3, 1978.