

**PUBLIC NOTICE**  
**DIVISION OF MINE PERMITS**  
**PROPOSED ADMINISTRATIVE REGULATIONS**

The Kentucky Energy and Environment Cabinet filed proposed amendments to 405 KAR 10:001 and 10:015 administrative regulations with the Legislative Research Commission on August 15, 2024. The cabinet will conduct a public hearing on October 28, 2024 at 5:00 p.m. (EST). This hearing will be held to receive comments on the following proposed administrative regulations:

- 405 KAR 10:001. Definitions for 405 KAR Chapter 10.
- 405 KAR 10:015. General bonding provisions.

The proposed amendment to these administrative regulations removes the definition for "long term treatment", incorporates the cabinet's bonding calculation forms that are currently being used and have been approved by the federal Office of Surface Mining Reclamation and Enforcement, and makes minor technical corrections. These administrative regulations are necessary to ensure adequate bonds or other financial assurance instruments are held by the cabinet to ensure performance of the requirements of KRS Chapter 350 in the event reclamation or remediation work is performed by the cabinet on disturbed coal mine sites. This regulatory package includes two amended administrative regulations and relates to definitions for 405 KAR Chapter 10, reclamation bond amounts, liability periods, long-term treatment financial assurance and requirements for filing and maintaining performance bonds for surface coal mining operations.

The proposed administrative regulations can be accessed below this notice, and the public comment period will be open through October 31, 2024. Comments should be submitted in writing to the contact person by either mail or email. This hearing is open to the public and all interested persons will be given the opportunity to present testimony. To assure that all comments are accurately recorded, the cabinet requests that oral comments presented at the hearing are also provided in written form, if possible. It is not necessary that the hearing be held or attended in order for persons to comment on the proposed administrative regulations. If no request for a public hearing is received within five (5) workdays prior to the scheduled hearing, the hearing may be cancelled, and notice of the cancellation will be posted at <https://eec.ky.gov/Natural-Resources/Pages/DNR-Public-Notices.aspx>. You must either email your name and mailing address to [Dawn.Baase@ky.gov](mailto:Dawn.Baase@ky.gov) or mail this information to Dawn Baase, Department for Natural Resources, Office of the Commissioner, 300 Sower Boulevard, 2nd Floor, Frankfort, KY 40601. Please include "405 KAR Chapter 10" in the subject line, and state in the body of the message if you intend to speak during the hearing.

The hearing will be held in person at the Energy and Environment Cabinet at 300 Sower Blvd Frankfort, KY 40601.

The full text of the proposed administrative regulations is available for public inspection and copying during regular business hours (8:00 a.m. to 4:30 p.m., local time) at the Department for Natural Resources, Office of the Commissioner, 300 Sower Boulevard, 2nd Floor, Frankfort, KY. Any individual requiring copies may submit a request to the Department for Natural Resources, Office of the Commissioner, in writing, by telephone, by FAX, or email. Requests for copies should be directed to the contact person. The proposed administrative regulation amendments may be accessed at <https://apps.legislature.ky.gov/law/kar/titles/405/010/> or at the Department for Natural Resources Web site at <https://eec.ky.gov/Natural-Resources/Pages/DNR-Public-Notices.aspx>.

CONTACT PERSON: Dawn Baase, Department for Natural Resources, Office of the Commissioner, 300 Sower Blvd., Frankfort, KY 40601. Phone: (502) 782-6311; FAX: (502) 564-4245; Email: [Dawn.Baase@ky.gov](mailto:Dawn.Baase@ky.gov).