



Kentucky Energy and Environment Cabinet  
Department for Natural Resources

From: John Small, Commissioner

JPS

Date: November 14, 2019

Reclamation  
Advisory  
Memorandum

RAM # 167

Subject: SME-90 E Form Mandatory Submittals in the  
Fourth Quarter of 2019

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### Introduction

Pursuant to 405 KAR 8:040/030 Section 32, Permittees are required to submit surface and ground water monitoring program plans with their permit applications and implement said programs upon issuance of the permits. The data collected from the monitoring programs must be submitted to the Cabinet, through the appropriate Regional Office, on a quarterly basis in accordance with 405 KAR 16/18:110. This reporting is done to ensure compliance with the approved monitoring program and to ensure no degradation to the hydrologic balance has occurred.

In order to simplify and provide consistency to this requirement, the Division of Mine Reclamation and Enforcement (DMRE) is requiring all quarterly surface water and groundwater monitoring data be submitted to the Cabinet on the SME-90 E Form. This requirement will become effective beginning with the reporting of the monitoring data for the 4th quarter of 2019.

Be advised that **quarterly monitoring data not submitted on the SME-90 E Form will be rejected, and the issuance of a notice of non-compliance may occur** if the required quarterly monitoring data is not submitted on the SME-90 E Form by the regulatory due date.

### Key Considerations

The SME-90 E Form provides a consistent format for Industry and the Cabinet to submit and review quarterly surface water and ground water monitoring data.

The SME-90 E Form is a web-based, live interactive application and is directly linked to the Surface Mining Information System (SMIS).

The SME-90 E Form relieves Permittees and laboratories from the need to download software, make changes to computer system configurations, or upload files to a file transfer protocol (FTP) site. The only requirements to utilize the SME-90 E Form are an internet connection, a web-browser, and an account created through the Commonwealth Office of Technology web-site:

<https://dep.gateway.ky.gov/eForms/account/home.aspx>

The SME-90 E Form has been available for use since the 1st quarter of 2019. Personnel from the DMRE previously provided training to industry personnel prior the release of the form. A user manual and training presentation are provided on the DMRE web-site at:

<https://eec.ky.gov/natural-resources/mining/reclamation-enforcement/pages/default.aspx>

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**Conclusion**

The SME-90 E form will result in increased consistency and accuracy in the collection of quarterly monitoring data.

Questions regarding the SME-90 E Form should be directed to Jay Cunningham, Division of Mine Reclamation and Enforcement, at (502) 782-6591 or [jay.cunningham@ky.gov](mailto:jay.cunningham@ky.gov).

Questions regarding to SMIS and the correction of submitted data and/or monitoring points should be directed to Thomas Barbour, Division of Mine Permits, at (502) 782-6549 or [thomas.barbour@ky.gov](mailto:thomas.barbour@ky.gov).