



Kentucky
Department for Surface Mining
Reclamation and Enforcement

Reclamation Advisory Memorandum

From: Carl Campbell, Commissioner *C.C.*
Date: September 20, 1996
Subject: Certification of Design

RAM # 123

We are continuing to evaluate the permitting process to identify possible improvements. It is always satisfying to find improvements that will simplify procedures and reduce paperwork without reducing the effectiveness of the regulatory program. We are pleased to announce another such improvement.

DSMRE will no longer require that the professional engineer complete and submit a separate certification form (SMP-31, Certification of Design) for each individual facility proposed in the permit application. The design engineer may now certify multiple facilities of the same type on one form. The certification form has been redesigned with the assistance of the consulting engineering community.

A separate form SMP-31-A (9/96) must be submitted for each different type of facility designed for the permit. For example, if the mining plan calls for five (5) excess spoil disposal fills, ten (10) temporary Class A sedimentation ponds and two (2) road designs, then three (3) SMP-31-A Certification of Design forms would be required to comply with 405 KAR 7:040 Section 10 (4) -- one completed form for each of the three (3) separate types of facilities.

This new form (attached) is available for use immediately. Additional copies of the form are available in each of the five (5) regional offices and in the Frankfort central office. See Flo Peters or Clay Baxter in the Division of Permits for additional copies.

Also, DSMRE will continue to accept certifications of single facilities on the old form SMP-31 (06/82). A certification of a single facility may be submitted on either SMP-31 or SMP-31-A.

Please note that a certification of design of a postmining land use plan is required only for a variance from approximate original contour for non-mountaintop removal on steep slope sites. 405 KAR 20:060 Section 3(4).

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