Kentucky Department for Surface Mining Reclamation and Enforcement	Reclamation Advisory Memorandum		
From: Carl Campbell, Commissioner			
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 coutour for non-mountaintop removal on steep slope sites. 405 KAR 20:060 Section 3(4).

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## **CERTIFICATION OF DESIGN**

(Signature)

I,

(Engineer's Seal)

(Registration No.) (Date Certified)

hereby certify, in accordance with 405 KAR 7:040, Section 10, that the design of each of the following facilities, whose design is included in this application, Application # \_\_\_\_\_\_:

- a) is in accordance with accepted engineering practices and recognized professional standards;
- b) complies with the design requirements of KRS Chapter 350 and KAR Title 405; and
- c) provided that the facility is properly constructed, operated and maintained, is adequate for the facility to meet the applicable performance standards of KRS Chapter 350 and KAR Title 405 insofar as such performance can reasonably be predicted by accepted engineering practices.

FACILI	ТҮ ТҮРЕ:						
			(One facility type only)				
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	OF FACILITIES: sedimentation p excess spoil dia temporary wata permanent wata coal processing	pond sposal fill er impoundment er impoundmen	t	coal processing waste coal processing waste road postmining land use pl permanent ditches	bank	* Show hazar	d class, if applicable