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COMMONWEALTH OF KENTUCKY
DEPARTMENT FOR NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION
BUREAU OF SURFACE MINING RECLAMATION AND ENFORCEMENT
GENE BRANDENBURG
COMMISSIONER
FRANKFORT, KENTUCKY 40601

RECLAMATION ADVISORY MEMORANDUM NO. 14

TO: BSMRE Division Directors and Regional Engineers
Coal Operators and Company Engineers
Consulting Engineers and Laboratories

FROM: Gene Brandenburg, Commissioner *Gene Brandenburg*
Bureau of Surface Mining Reclamation
and Enforcement

DATE: August 3, 1979

SUBJECT: Reporting Results of Water Quality Monitoring

The U. S. Office of Surface Mining published revised regulations (re 30 CFR 715.17, 717.17) in the June 22, 1979 Federal Register regarding reporting of water quality monitoring by operators. These revisions were intended to make OSM regulations more consistent with similar requirements of the Environmental Protection Agency and to allow the operator sufficient time to have water samples analyzed before routine reports are made.

Therefore, Kentucky operators may adhere to the following requirements in complying with 405 KAR 1:170, Section 2(1)(e) and 405 KAR 3:140, Section 2(1)(e):

Provide a regular report of all measurements to the appropriate Regional Office of the Bureau within sixty (60) days of the end of each sixty (60)-day sample collection period, unless the discharge is also covered by a National Pollution Discharge Elimination System (NPDES) permit issued in compliance with the Clean Water Act of 1977 (33 U.S.C. 1251-1378) which requires equivalent water monitoring and which requires filing of monitoring reports within ninety (90) days or less of sample collection. For such discharges covered by NPDES permits, the

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reporting requirements of this Bureau may be satisfied by submitting to the appropriate Regional Office of the Bureau on the same time schedule as required by the NPDES permit or within ninety (90) days following sample collection, whichever is earlier, a copy of the completed NPDES reporting form. When analysis of the samples indicates that a violation of a Kentucky permit condition or applicable performance standard has occurred, the operator shall notify the Regional Office immediately. When an NPDES permit effluent limitation requirement has been violated, the operator should submit to the Bureau a copy of the Discharge Monitoring Report, EPA Form 3320-1, with notification of the violation.

All monitoring reports submitted to the Bureau must identify the reclamation permit number and discharge sampling point to which they pertain.