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SECRETARY



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GOVERNOR

COMMONWEALTH OF KENTUCKY

DEPARTMENT FOR NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION

BUREAU OF SURFACE MINING RECLAMATION AND ENFORCEMENT

ELMORE C. GRIM

COMMISSIONER

FRANKFORT, KENTUCKY 40601

RECLAMATION ADVISORY MEMORANDUM NO. 32

OK  
JS 4-15-82

TO: Coal Operators and Company Engineers  
Coal Operator Associations  
Consulting Engineers  
BSMRE Division Directors and Regional Administrators

FROM: Elmore C. Grim, Commissioner *E.C.G.*  
Bureau of Surface Mining Reclamation and Enforcement

DATE: April 15, 1982

SUBJECT: BSMRE Plan for Receiving Preliminary and Complete  
Interim Permit Applications before Primacy

Secretary Swigart, at the Department's Environmental Conference in October 1981, announced the Bureau's transition plan for primacy. Since that time we have attempted to communicate that plan to the industry and concerned citizens. In the February 1982 issue of the Kentucky Coal Journal, we published a time schedule along with a verbal description of how the permitting process would work during the thirty days preceding the actual primacy date for Kentucky. The purpose of this memorandum is to discuss that part of our transition plan and to advise you of changes that are necessary as a result of this week's announcement by Interior Secretary Watt concerning Kentucky's primacy program and the restraining order which immediately followed from the Johnson Circuit Court.

We must at this time assume that the restraining order will be lifted and the Federal Office of Surface Mining will publish Kentucky's primacy decision on or about May 13, 1982. In an effort to carry out our plan in accordance with our previous commitments, we are advising that the following actions will be taken:

1. The Bureau will stop accepting all interim program preliminary applications on April 30, 1982, at 4:30 p.m.
2. Operators who file preliminary applications before the deadline will have until 4:30 p.m., on May 31, 1982, to submit administratively complete interim program permit applications.

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In the event our assumptions are wrong and primacy is not granted on May 13, 1982, we will advise you further on actions which will be taken.

Please be assured that we will do everything possible to keep you informed. We are committed to provide you with as much advance notice as possible of cutoff dates for preliminary applications. However, final responsibility for obtaining interim permits rest with you. Therefore, for planning purposes you should assume the dates outlined herein are firm and will be adhered to.

If you have any questions, please feel free to contact our Regional Offices or the Division of Permits.

ECG/LEG/bt