

#### 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. 37

TO:

Coal Operators and Company Engineers

Coal Operator Associations

Consulting Engineers

BSMRE Division Directors and Regional Administrators

FROM:

Elmore C. Grim, Commissioner

Bureau of Surface Mining Reclamation and Enforcement

DATE:

June 8, 1982

SUBJECT: Engineers' certifications.

The purpose of this memorandum is to inform you that standardized engineering certification language has been established pursuant to KRS 350.060(10) and 405 KAR 7:040E, Section 10, and to provide you copies of the required language and forms. The certification of design form and the certification language for maps, plans and drawings are applicable immediately for all transition applications and comprehensive permit applications. The certification of construction and certification of maintenance forms shall be used for certifications required by the applicable regulations beginning July 19, 1982.

The regulations for surface coal mining operations require four (4) types of engineering certifications. The language of each type is different and is specific to the nature of the work being certified.

- 1. Certification of design use Form SMP-31 provided by the department.
- 2. Certification of construction use Form SME-21 provided by the department.
- 3. Certification of maintenance use Form SME-22 provided by the department.
- 4. Certification of maps, plans and drawings The following must be printed or stamped on each map, plan, or drawing itself:

I,	,,,	
	(registration no.)	(date)
hereby certify, in accordan	ce with 405 KAR 7:040E,	, Section 10, that
this document is correct as	determined by accepted	l engineering
practices and includes all	the information require	ed of it by KRS
Chapter 350 and KAR Title 4	05. (Affix engineer's	seal)

Each engineer should be thoroughly familiar with the definition of "certification" in 405 KAR 7:040E, Section 10 because it establishes the nature of the responsibility of engineers who sign certifications under the surface mining regulations.

Note that three somewhat similar terms appear on the forms: coal processing waste bank, coal processing waste dam, and coal processing waste impoundment. These are terms from the permanent program regulations. In order to clarify these terms:

Coal processing waste bank is a refuse pile.

Coal processing waste dam is a dam which contains coal processing waste in the embankment.

Coal processing waste impoundment is a dam which impounds coal processing waste (slurry).

Also note that our agency name will change effective July 15, 1982. The "Department for Natural Resources and Environmental Protection" will become the "Natural Resources and Environmental Protection Cabinet." The "Bureau of Surface Mining Reclamation and Enforcement" will become the "Department for Surface Mining Reclamation and Enforcement."

# CERTIFICATION OF CONSTRUCTION



er.	(signature) (registration no.) (date)		
	by certify, in accordance with 405 KAR 7:040E, Section 10, that respect to the following facility,		
	• • • • • • • • • • • • • • • • • • • •		
	(check one)		
	sedimentation pond road road		
	excess spoil disposal fill coal processing waste bank		
	excess spoil disposal fill coal processing waste bank temporary water impoundment coal processing waste dam permanent water impoundment coal processing waste		
	permanent water impoundment coal processing waste		
	impoundment		
	facility # on permit #		
)	I, or persons under my supervision, have conducted adequate		
,	inspections of the construction of the structure; and		
)	the construction has been performed in accordance with accepted		
	construction practices; and		
)	(check one)		
	the facility has been represented to several as		
	the facility has been constructed in accordance with the design approved by the department.		
	Total Type of the Copartment.		
	the facility has been constructed in accordance with the		
	design approved by the department except for minor		
	deviations described in the attachment which will not adversely affect the performance of the facility nor render		
	the facility in violation of KRS Chapter 350 or		
	KAR Title 405.		
	(check one)		
	mbi i a constituent of constituent of the constitue		
	This is a certification of construction to date and a description of the current phase of construction is attached.		
	This is a final certification of construction and as-built		
.,	drawings are attached.		
	neer's seal		

Kentucky Department for Surface Mining Reclamation and Enforcement

SME-21

# CERTIFICATION OF MAINTENANCE OF DAMS AND EMBANKMENTS



her	(signature), (registration no.) (date) by certify, in accordance with 405 KAR 7:040E, Section 10, that respect to the following facility,
	(check one)
	permanent water impoundment coal processing waste dam coal processing waste impoundment impoundment
	facility # on permit #
	I, or persons under my supervision, have inspected the structure; and, based on the inspection(s), I have determined that the structure has been maintained as required by KRS Chapter 350 and KAR Title 405.
	certification report required by 405 KAR 16:100E, Section 2(4) or KAR 18:100, Section 2(4) is attached.
Eng	ineer's seal

Kentucky Department for Surface Mining Reclamation and Enforcement SME-22 06/82

## CERTIFICATION OF DESIGN



her	(signature), (registration no.), (date) reby certify, in accordance with 405 KAR 7:040E, Section 10, that
tne	e attached design of the following facility,
	(check one) sedimentation pond coal processing waste dam
	excess spoil disposal fill coal processing waste bank
	temporary water impoundment road
	permanent water impoundment postmining land use plan
	coal processing waste impoundment
	facility #on permit #
1)	is in accordance with accepted engineering practices and recognized professional standards; and
b)	complies with the design requirements of KRS Chapter 350 and KAR Title 405; and
2)	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.

Kentucky Department for Surface Mining Reclamation and Enforcement SMP-31 06/82