



COMMONWEALTH OF KENTUCKY  
**DEPARTMENT FOR NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION**

BUREAU OF SURFACE MINING RECLAMATION AND ENFORCEMENT

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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 *E.C.G.*  
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, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_,  
(signature) (registration no.) (date)  
hereby certify, in accordance with 405 KAR 7:040E, Section 10, that  
this document is correct as determined by accepted engineering  
practices and includes all the information required of it by KRS  
Chapter 350 and KAR Title 405. (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



I, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_,  
(signature) (registration no.) (date)  
hereby certify, in accordance with 405 KAR 7:040E, Section 10, that  
with respect to the following facility,

(check one)

- |  |   |
|--|---|
| <input type="checkbox"/> sedimentation pond          | <input type="checkbox"/> road                                 |
| <input type="checkbox"/> excess spoil disposal fill  | <input type="checkbox"/> coal processing waste bank           |
| <input type="checkbox"/> temporary water impoundment | <input type="checkbox"/> coal processing waste dam            |
| <input type="checkbox"/> permanent water impoundment | <input type="checkbox"/> coal processing waste<br>impoundment |

facility # \_\_\_\_\_ on permit # \_\_\_\_\_

- a) I, or persons under my supervision, have conducted adequate inspections of the construction of the structure; and
- b) the construction has been performed in accordance with accepted construction practices; and

c) (check one)

the facility has been constructed in accordance with the design approved by the department.

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)

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.

Engineer's seal



