

### **350.057 Coal exploration operations.**

- (1) The secretary of the Energy and Environment Cabinet shall promulgate regulations for the permitting and performance of coal exploration operations which substantially disturb the natural land surface. The regulations shall include at a minimum provisions for giving notice of intention to explore including a description of the area to be explored and the period of supposed exploration and provisions for reclamation, as required by this chapter, of all land disturbed in the exploration.
- (2) Any requirements of public access to records set forth in the Kentucky Revised Statutes to the contrary notwithstanding, the secretary shall order that confidential trade secrets or privileged commercial or financial information in the possession of the cabinet or pursuant to a coal exploration permit remain confidential.
- (3)
  - (a) No person or operator shall remove more than twenty-five (25) tons of coal by coal exploration operations without first obtaining a coal exploration permit from the cabinet.
  - (b) No person or operator conducting coal exploration operations in which more than twenty-five (25) tons of coal are removed shall knowingly and willfully receive, transport, sell, convey, exchange, transfer, trade, donate, deliver, or otherwise convert to a commercial use any coal extracted during the course of the operations, except with the prior written approval of the cabinet for the purpose of testing or determining the properties of the coal.
- (4) All persons or operators conducting operations pursuant to this section shall be subject to the applicable provisions of KRS 350.990.

**Effective:** July 15, 2010

**History:** Amended 2010 Ky. Acts ch. 24, sec. 1878, effective July 15, 2010. -- Amended 1990 Ky. Acts ch. 205, sec. 3, effective July 13, 1990; and ch. 212, sec. 3, effective July 13, 1990. -- Created 1980 Ky. Acts ch. 62, sec. 6.