

**350.475 Regulations regarding disturbance of reclaimed permit areas and for transferring liability for reclamation.**

- (1) The Energy and Environment Cabinet is directed to promulgate regulations which specifically address what liability surface mining permittees shall have to reclaim permit areas on which parties or forces not controlled by the permittee have disturbed the reclamation previously performed by the permittee. Such parties or forces not controlled by the permittee shall include, without limitation, acts of God, oil and gas operations, loggers, recreational vehicles, and trespassers.
- (2) The Energy and Environment Cabinet is also directed to promulgate regulations which specifically set forth the procedure for transferring liability for reclamation of a surface mining permit to a party who will make a post mining use of the permit area.

**Effective:** July 15, 2010

**History:** Amended 2010 Ky. Acts ch. 24, sec. 1890, effective July 15, 2010. -- Created 1990 Ky. Acts ch. 494, sec. 1, effective July 13, 1990.