

**350.550 Creation of Abandoned Mine Lands Program -- Reclamation fund -- Use of fund.**

- (1) There is hereby created within the Commonwealth of Kentucky an Abandoned Mine Lands Program, to be administered within the Energy and Environment Cabinet. The secretary of the Energy and Environment Cabinet may promulgate regulations necessary to implement this program. The provisions of KRS 350.150, 350.152, 350.154, 350.156(1) and (2), 350.158, 350.161, and 350.163 shall not be applicable to this program.
- (2) The Finance and Administration Cabinet is hereby directed to establish a fund to be known as the abandoned mine reclamation fund (hereinafter referred to as the "fund").
- (3) The fund shall consist of amounts deposited in the fund from time to time, including but not limited to:
  - (a) The reclamation fees levied pursuant to Section 402 of P.L. 95-87 and allocated to the Commonwealth of Kentucky;
  - (b) Any income derived from or any user charge imposed on or for land reclaimed pursuant to the Abandoned Mine Lands Program after the expenses of the program have been deducted;
  - (c) Donations by persons, corporations, associations, governmental entities, and foundations for the purposes of the Abandoned Mine Lands Program;
  - (d) Interest credited to the fund pursuant to Section 401(e) of P.L. 95-87 and allocated to the Commonwealth of Kentucky; and
  - (e) All other moneys as provided for consistent with this chapter.
- (4) Moneys in the fund may be used for the following purposes:
  - (a) Reclamation and restoration of land and water resources adversely affected by past coal mining, including but not limited to reclamation and restoration of abandoned surface mine areas, abandoned coal processing areas, and abandoned coal refuse disposal areas; sealing and filling of abandoned deep mine entries and voids; planting of land adversely affected by past coal mining to prevent erosion and sedimentation; prevention, abatement, treatment, and control of water pollution created by coal mine drainage, including restoration of stream beds, and construction and operation of water treatment plants; prevention, abatement, and control of burning coal refuse disposal areas and burning coal in situ; and prevention, abatement, and control of coal mine subsidence;
  - (b) Acquisition and filling of voids and sealing of tunnels, shafts, and entryways;
  - (c) Acquisition of land as provided for in this chapter;
  - (d) Restoration, reclamation, abatement, control, or prevention of adverse effects of coal mining which constitute an emergency as provided for in this program;
  - (e) Administrative expenses of the program to accomplish the purposes of this program;
  - (f) For the purposes of Section 507(c) of P.L. 95-87; and

(g) All other necessary expenses to accomplish the purposes of this program.

**Effective:** July 15, 2010

**History:** Amended 2010 Ky. Acts ch. 24, sec. 1891, effective July 15, 2010. -- Amended 2007 Ky. Acts ch. 32, sec. 2, effective June 26, 2007. -- Amended 1992 Ky. Acts ch. 207, sec. 1, effective July 14, 1992. -- Created 1980 Ky. Acts ch. 62, sec. 18.