

350.150 Reclamation work by cabinet -- Procedure -- Acceptance of federal and other funds -- Access to land.

- (1) In the reclamation of land affected by surface coal mining operations for which it has funds available, the cabinet may avail itself of any services which may be provided by other state agencies or by agencies of the federal government, and may compensate them for the services. The cabinet may also receive any federal funds, state funds, or any other funds for the reclamation of land affected by surface coal mining operations. The cabinet may cause the reclamation work to be done by its own employees or by employees of other governmental agencies, soil conservation districts, or through contracts with qualified persons. The contracts, other than negotiated contracts awarded pursuant to KRS 350.131(3), shall be awarded to the lowest responsible bidder upon competitive bids after reasonable advertisement. The cabinet and any other agency and any contractor under a contract with the cabinet shall have the right of access to the land affected to carry out the reclamation.
- (2) Any funds available to the cabinet and any public works program (both funds and services) may be used and expended to reclaim and rehabilitate any lands that have been subjected to surface coal mining operations that have not been reclaimed and rehabilitated in accordance with standards set by this chapter or administrative regulations thereunder and which are not covered by bond to guarantee the reclamation.
- (3) A person or organization, having qualifications acceptable to the cabinet, may post bond or a cash deposit, in a sum determined by the cabinet, and assume the liability for carrying out the reclamation plan approved by the cabinet in areas where the mining operation and any necessary grading and backfilling have been completed. The cabinet shall then release the bond posted by the permittee for the area.

Effective: July 15, 1996

History: Amended 1996 Ky. Acts ch. 323, sec. 2, effective July 15, 1996. -- Amended 1992 Ky. Acts ch. 429, sec. 19, July 14, 1992. -- Amended 1980 Ky. Acts ch. 62, sec. 16. -- Amended 1978 Ky. Acts ch. 332, sec. 7, effective June 17, 1978. -- Amended 1974 Ky. Acts ch. 74, Art. III, sec. 13(7). -- Amended 1972 (1st Extra. Sess.) Ky. Acts ch. 3, sec. 73. -- Amended 1966 Ky. Acts ch. 4, sec. 20. -- Amended 1964 Ky. Acts ch. 61, sec. 8. -- Amended 1962 Ky. Acts ch. 105, sec. 12. -- Created 1954 Ky. Acts ch. 8, sec. 15.