

DIVISION OF MINED LAND RECLAMATION		PROCEDURE NO.	4.1.01
PROCEDURES MANUAL		ISSUE DATE	April 17, 2006
SUBJECT	Reclamation Project - Eligibility	Section	AML
		Last Revised	3/12/97

OBJECTIVE AND INTENT :

To ensure that eligibility determinations are accurately and expeditiously made per Section 404 of **Public Law 95-87** and the **State Reclamation Plan**.

PROCEDURES :

Reclamation Services Inspector :

The **Inspector** shall review the mining history of a site to document a finding that the project area was mined prior to December 15, 1981 (or was affected by mining operations which were conducted prior to that date). The finding shall show that there is no continuing reclamation responsibility under the State of Federal law.

In developing the history of the site, the Inspector shall thoroughly research DMLR permit records, Division of Mines records, coal industry information, coalbed mapping data, MSHA records, aerial photography, and any other relevant sources of information. Affidavits from citizens who may have knowledge of the site (and the mining history of the site) may be used only when other research does not provide the necessary documentation.

Should the Inspector's research factually establish eligibility, the Inspector shall make a field copy of the documents obtained by the research and forward the complete file to the Supervisor. After reviewing the information, the Supervisor will forward the file to the AML Services staff located in the Big Stone Gap office.

AML Services Staff:

The AML Services Staff shall review the Inspector's documentation, and provide additional information which may be available at the DMLR office. The AML Services Staff shall prepare an eligibility documentation sheet and forward this to the Reclamation Services (AML) Manager.

Reclamation Services (AML) Manager :

The Reclamation Services (AML) Manager shall review the eligibility documentation and determine if the required eligibility criteria are met. If the criteria have been met, the Reclamation Services (AML) Manager shall route the documentation sheet to the **DMLR Director** with a recommendation for approval.

DMLR Director :

The DMLR Director shall review the recommendation. The Director's signature shall officially establish the project's eligibility for reclamation under the AML program.

The eligibility documentation will then be returned to the AML Services Section for filing. AML Services Staff will update the project-tracking sheet to note the eligibility determination date.