



## Ohio Administrative Code

### Rule 1501:13-1-01 Effective date and applicability.

Effective: January 17, 2016

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(A) No permit to conduct coal mining and reclamation operations shall be issued unless application for the permit has been made in accordance with the requirements of these rules.

(B) Each coal mining and reclamation operation shall comply with all the requirements of these rules, except as provided in paragraphs (C)(1) to (C)(3) of this rule.

(C) Each structure used in connection with or to facilitate a coal exploration or coal mining and reclamation operation shall comply with the performance standards and the design requirements of these rules except that:

(1) If the performance standard in effect prior to August 16, 1982, in Chapter 1513. of the Revised Code and Chapters 1501:13-1 to 1501:13-14 of the Administrative Code, is no less effective than the comparable performance standards of these rules, an existing structure which meets the performance standards of the prior law and rules may be exempted by the chief from meeting the design requirements of these rules.

(2) If the performance standard in effect prior to August 16, 1982, in Chapter 1513. of the Revised Code and Chapters 1501:13-1 to 1501:13-14 of the Administrative Code, is less effective than the comparable performance standards of these rules, the chief shall require an existing structure to be modified to meet either the design requirements of Chapter 1513. of the Revised Code and these rules or the comparable performance standards of Chapter 1513. of the Revised Code and these rules, or both.

(3) The exemptions provided in paragraphs (C)(1) and (C)(2) of this rule shall not apply to:

(a) The requirements for existing and new coal mine waste disposal facilities; and

(b) The requirements to restore the approximate original contour of the land.



(4) These rules shall not govern operations conducted prior to August 16, 1982, except:

(a) Operations conducted under a strip mining permit shall comply with and be governed by rules 1501:13-1-01, 1501:13-1-03 to 1501:13-1-13, 1501:13-3-01 to 1501:13-3-08, 1501:13-6-03, 1501:13-7-06, 1501:13-9-10, and 1501:13-14-01 to 1501:13-14-04 of the Administrative Code, and all rules expressly made applicable therein, except that a person conducting such operations may choose to design structures in accordance with the design requirements specified in Chapters 1501:13-4, 1501:13-9, 1501:13-10, 1501:13-11, and 1501:13-13 of the Administrative Code.

(b) All operators of underground coal mines who submitted a mine map and affidavit pursuant to section 1513.12 of the Revised Code as it was in effect prior to September 1, 1981, shall comply with and be governed by rules 1501:13-1-01, 1501:13-1-03 to 1501:13-1-13, 1501:13-3-01 to 1501:13-3-08, 1501:13-6-03, 1501:13-12-03, 1501:13-12-04, and 1501:13-14-01 to 1501:13-14-04 of the Administrative Code, and all rules expressly made applicable therein, except that a person conducting such operations may choose to design structures in accordance with the design requirements specified in Chapters 1501:13-4, 1501:13-9, 1501:13-10, 1501:13-11, and 1501:13-13 of the Administrative Code.

(D) Termination of jurisdiction.

(1) The chief may terminate jurisdiction under Chapter 1513. of the Revised Code over the reclaimed site of a completed coal mining and reclamation operation, or increment thereof, upon the chief's final decision in accordance with Chapter 1501:13-7 of the Administrative Code to release the performance security fully.

(2) Following a termination under paragraph (D)(1) of this rule, the chief shall reassert jurisdiction under Chapter 1513. of the Revised Code over a site if it is demonstrated that the performance security release was based on fraud, collusion, or misrepresentation of a material fact.