

OHIO COASTAL MANAGEMENT PROGRAM POLICY 38 – SURFACE MINING

IT IS THE POLICY OF THE STATE OF OHIO TO REGULATE SURFACE MINING ACTIVITIES TO MINIMIZE ADVERSE ENVIRONMENTAL IMPACTS, PREVENT DAMAGE TO ADJOINING PROPERTY, ENSURE RECLAMATION OF ALL AFFECTED AREAS THROUGH THE ISSUANCE OF OHIO DEPARTMENT OF NATURAL RESOURCES PERMITS AND SEE TO THE HEALTH AND SAFETY OF ALL PERSONS WITHIN THE MINING FACILITY (O.R.C. 1514.02, 1514.021, 1561, 1563, 1565 AND 1567.

Authorities and Administration

ODNR, Division of Mineral Resources Management (DMRM), requires a permit prior to the initiation of any surface mining activity (O.R.C. 1514.02(A)). When applying for a permit, the applicant must include, among other submissions, a mining and reclamation plan. The Chief of DMRM shall issue an order granting or denying an operating permit or amendment to an operating permit within 90 days after the filing of an application (O.R.C. 1514.02(F)).

An application for a surface mining permit (for materials other than coal) shall contain the information set forth in O.R.C. 1514.02 and shall be submitted to the Chief of DMRM. The chief has promulgated rules and regulations for surface mining in O.A.C. 1501:14-1 through 1501:14-4. These rules cover the general permit provisions and mining and reclamation performance standards.

The Chief of DMRM shall issue an order granting a permit upon his approval of an application as required and filing of a performance bond and filing fee. Such funds are to be used by the chief if the applicant fails to perform reclamation of the area according to O.R.C. Chapter 1514. If the applicant performs the required reclamation, the performance bond shall be released to the applicant by the Chief.

In addition, the Chief of DMRM shall enforce and supervise the execution of all laws enacted for the health and safety of persons and the protection and conservation of property within, about, or in connection with mines, mining and quarries, and for such purpose shall adopt, publish, and enforce necessary rules not inconsistent with the mining laws of the state.