

350.425 Waste used as dams -- Jurisdiction over dams.

The permittee, operator, or other person shall design, locate, construct, operate, maintain, enlarge, modify, and remove or abandon, in accordance with the standards and criteria developed pursuant to subsection (f) of Section 515 of Public Law 95-87, "Surface Mining Control and Reclamation Act of 1977," all existing and new coal mine waste piles consisting of mine wastes, tailings, coal processing wastes, or other liquid and solid wastes, and used either temporarily or permanently as dams or embankments. The Energy and Environment Cabinet through this chapter shall have exclusive jurisdiction over KRS Chapter 151 concerning the regulation of dams, levees, embankments, dikes, bridges, fills, or other obstructions across or along any stream or in the floodway of any stream, which structures or obstructions are permitted under this chapter.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 24, sec. 1888, effective July 15, 2010. -- Amended 2005 Ky. Acts ch. 123, sec. 54, effective June 20, 2005. -- Amended 1992 Ky. Acts ch. 429, sec. 28, effective July 14, 1992. -- Amended 1982 Ky. Acts ch. 368, sec. 1, effective April 2, 1982. -- Created 1978 Ky. Acts ch. 330, sec. 6, effective May 3, 1978.