

Title 2: Agriculture and Commerce

Part 904: MSWCC Surface Mining and Reclamation Program

Part 904 Chapter 1: Surface Mining Policy and Procedures

Introduction. The Mississippi Surface Mining and Reclamation Act adopted in October of 1977 and effective in April of 1978 provides for the regulation of surface mining within the borders of Mississippi. The Act designates the Mississippi Soil and Water Conservation Commission (MSWCC) to serve as a liaison between Mississippi Soil and Water Conservation Districts (SWCDs) and the Mississippi Bureau of Geology. The Commission reviews all Surface Mining Applications and assists the soil and water conservation districts in making recommendations as to the reclamation portions of these applications. The Commission also reviews the requests of bond releases after reclamation has been completed.

Rule 1.1 Purpose. The overall objective of the surface mining program is to review applications for surface mining permits as they pertain to soil and water conservation practices in all efforts to reduce sediment pollution from surface mining activities in accordance with the Mississippi Surface Mining and Reclamation Act.

Source: *Miss. Code Ann. § 53-7-3*

Rule 1.2 Procedures for Initial Applications.

- A. Upon receipt of a notice of intent or permit application from Bureau of Geology, the commission notifies the commissioners of the soil and water conservation district(s) in which any part of the land to be mined is located, to review the reclamation plan that is part of the application.
- B. Within thirty (30) days after the filing of intent or permit application by the operator, the district(s) make written comments, recommendations and evaluations of the plan and submit to the Soil and Water Conservation Commission.
- C. The commission sends the comments to the Bureau of Geology. The comments and recommendations are made a part of the record and one copy is furnished to the operator by the Bureau of Geology.

Source: *Miss. Code Ann. §§§ 53-7-31, 53-7-35, 53-7-53*

Rule 1.3 Procedures for Bond Releases

- A. Upon receipt of the application for bond release from Bureau of Geology, the MS Soil and Water Conservation Commission notifies the commissioners of the soil and water Conservation district(s) in which any part of the surface mined site is located, to conduct an inspection and evaluation of the reclamation work involved.
- B. Evaluation of site should consider the occurrence of pollution of surface and subsurface water, the probability of continuance or future occurrence of pollution, and the estimated cost of abating the pollution.

- C. A written response concerning the results of the evaluation or inspection are reported to the Mississippi Soil and Water Conservation Commission by the soil and water conservation district and in turn are furnished to the Bureau of Geology.

Source: *Miss. Code Ann.* §§ 53-7-67, 53-7-53