



State of Alaska
Department of Natural Resources
Notice of Public Scoping for Possible
DNR Regulation Revisions
Under Administrative Order 266
Surface Coal Mining Regulations

The Alaska Department of Natural Resources (the Department) is proposing to codify and amend surface coal mining regulations in the Alaska Administrative Code in 11 AAC 90. The purpose of the revisions is to codify existing regulations for ease of use and transparency, and to implement program amendments required by the Office of Surface Mining Reclamation and Enforcement (OSMRE), a federal agency within the U.S. Department of Interior.

The Alaska Division of Mining, Land and Water (the Division) administers the Alaska Coal Mining Control and Reclamation Act and its implementing regulations for coal mining on private, municipal, and federal land in Alaska. The state's coal program, which must comply with federal OSMRE standards, comprehensively regulates almost all aspects of coal mining activity from exploration to final reclamation. Revisions to these regulations are necessary for the state to maintain primacy over the Alaska surface coal mining and reclamation program and continue to receive federal funding to implement the program. More information on the program can be found on the Division's website here: <https://dnr.alaska.gov/mlw/mining/coal/> and <https://dnr.alaska.gov/mlw/mining/aml/>.

The Department is soliciting feedback and comments from the public on proceeding with codification of existing state coal regulations and amending state regulations to be consistent with recent changes in federal regulations, and to enable continued state administration of the coal program. The purpose of this notice is to ask the public for input that can be considered as the Department undertakes the task of drafting proposed regulations for public review. A copy of the existing regulations is available here: <https://dnr.alaska.gov/mlw/news/>

Written input must be received no later than 5:00 p.m. on September 27, 2021. Please send all submissions by mail or email to:

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Feedback and comments submitted by the public in response to this scoping notice will be reviewed by the Department if, and when, it drafts proposed changes to the surface coal mining regulations. Any proposed regulatory changes will be released for public review and comment in compliance with the Administrative Procedure Act in Alaska Statutes 44.62.

The Department complies with Title II of the Americans with Disabilities Act of 1990. Individuals with disabilities who may need auxiliary aides, services or special modifications to participate in this scoping request may contact the above address or email; or dial TTY number 711 or 800-770-8973 and provide the operator with 907-269-8527. The Department reserves the right to waive technical defects in this publication.

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