



## Ohio Administrative Code

### Rule 1501:13-13-03 Operations on prime farmland.

Effective: January 17, 2016

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(A) Special requirements. Coal mining and reclamation operations conducted on prime farmland shall meet the following requirements:

(1) A permit shall be obtained for those operations under paragraph (F) of rule 1501:13-4-12 of the Administrative Code; and

(2) Soil materials to be used in the reconstruction of the prime farmland soil shall be removed before drilling, blasting, or mining, in accordance with paragraphs (B) and (C) of this rule and in a manner that prevents mixing or contaminating these materials with undesirable material. Where removal of soil materials results in erosion that may cause air and water pollution, the chief shall specify methods to control erosion of exposed overburden.

(B) Soil reconstruction specifications. The chief shall use soil reconstruction specifications established by the U.S. natural resources conservation service for prime farmland soil removal, storage, replacement, and reconstruction as guidelines in carrying out his or her responsibilities under paragraph (F) of rule 1501:13-4-12 of the Administrative Code and Chapter 1501:13-7 of the Administrative Code.

(C) Soil removal.

(1) Coal mining and reclamation operations on prime farmland shall be conducted to:

(a) Separately remove the topsoil or other suitable soil materials if such soil materials will create a final soil having a greater productive capacity than that which existed prior to mining. If not utilized immediately the material shall be stockpiled separately from other rooting medium and spoil; and

(b) Separately remove the B horizon of the soil, or a combination of B horizon and underlying C horizon, or other suitable soil material if such soil material will create a reconstructed soil of equal or



greater productive capacity than that which existed before mining.

(2) The minimum depth of soil and soil material to be removed for use in reconstruction of prime farmland soils shall be sufficient to meet the soil replacement requirements of paragraph (E)(1) of this rule.

(D) Soil stockpiling. If not utilized immediately, the topsoil or other suitable soil materials specified in paragraph (C)(1)(a) of this rule and the B horizon or other suitable soil materials specified in paragraph (C)(1)(b) of this rule shall be stored separately from each other and from spoil. These stockpiles shall be placed within the permit area where they are not disturbed or exposed to excessive water or wind erosion before the stockpiled horizons can be redistributed. Stockpiles in place for more than thirty days shall meet the requirements of paragraph (E) of rule 1501:13-9-03 of the Administrative Code.

(E) Soil replacement. Coal mining and reclamation operations on prime farmland shall be conducted according to the following:

(1) The minimum depth of soil and soil material to be reconstructed for prime farmland shall be forty-eight inches, or a depth equal to the depth to a subsurface horizon in the natural soil that inhibits root penetration, whichever is shallower. The chief shall specify a depth greater than forty-eight inches wherever necessary to restore productive capacity. Soil horizons shall be considered as inhibiting root penetration if their densities, chemical properties, or water supplying capacities restrict or prevent penetration by roots of plants common to the vicinity of the permit area and have little or no beneficial effect on soil productive capacity;

(2) Soil material shall only be replaced on land which has been first returned to final grade and scarified according to paragraph (C) of rule 1501:13-9-03 of the Administrative Code, unless site-specific evidence is provided and approved by the chief showing that scarification or its equivalent will not enhance the capability of the reconstructed soil to achieve equivalent or higher levels of yield;

(3) The soil horizons or other suitable soil materials shall be replaced with proper compaction and uniform depth;



(4) The B horizon or other suitable material specified in paragraph (C)(1)(b) of this rule shall be replaced to the thickness needed to meet the requirements of paragraph (E) of this rule;

(5) The topsoil or other suitable soil materials specified in paragraph (C)(1)(a) of this rule shall be replaced as the final surface soil layer. This surface soil layer shall equal or exceed the thickness of the original soil, as determined in paragraph (F)(2)(a) of rule 1501:13-4-12 of the Administrative Code, and shall be placed in a manner that protects the surface layer from wind and water erosion before it is seeded or planted; and

(6) Nutrients and soil amendments shall be applied as needed to establish vegetative growth quickly.

(F) Revegetation. Each person who conducts coal mining and reclamation operations on prime farmland shall meet the ground-cover and cropping requirements specified under rule 1501:13-9-15 of the Administrative Code.