

OHIO DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF RECLAMATION

**\*\*POLICY/PROCEDURE DIRECTIVE\*\***

Inspection and Enforcement 91-3  
REPLACES INSPECTION AND ENFORCEMENT 88-5... REMOVE FROM PPD FILE

Subject: Temporary Cessation of Operations (TINA)  
Effective: October 18, 1991  
Purpose: To provide direction to the permittees and inspection staff on policy and procedures regarding temporary cessation of operations.

The Division receives notices from operators that their operations are being placed in temporarily inactive status (TINA), but these notices often do not provide all of the information required by rule 1501:13-9-16.

Paragraph (A) of rule 1501:13-9-16, O.A.C., requires the permittee to notify the Chief before temporary cessation of mining and reclamation operations for a period of thirty (30) days or more, or as soon as it is known that a temporary cessation will extend beyond thirty (30) days. The rule requires that the notice provide information on the number of acres affected, the extent and kind of reclamation which has been accomplished, the reclamation, monitoring and water treatment that will continue during the temporary cessation, and an estimate on the date the operations will resume.

In any case, the length of time a permit is in TINA status shall not exceed one year or the expiration date of the permit, whichever is sooner, and may be renewed on an annual basis. If renewed, the enclosed form must be submitted.

To ensure that the required information is provided to the Division, the attached form must be used to notify the Division of the temporary cessation. Four copies of the completed form must be submitted to the Division district office that is responsible for inspecting the permit.

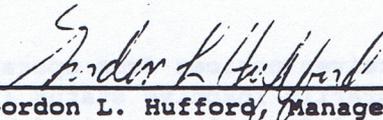
The district office shall be responsible for distributing the copies after review as follows: one copy to Permitting via I & E Manager, one copy to OSM, one copy to the operator, and one copy retained in the district file. The operator will be informed in writing by the District for those cases where TINA status is not acceptable.

There are instances where permits are not allowed to be placed, or to remain, in TINA status. Such instances include, but are not limited to, the following:

1. The final map has been submitted.
2. The permit has expired or been revoked or suspended.
3. The Division has initiated bond forfeiture action.

4. All mineable coal has been removed. Mineable coal means coal reserves that remain on the permit area and can be reasonably expected to be mined using the mining methods identified in the mining plans.
5. Operators cannot request TINA status for portions of the permit. TINA status must apply to the entire permit.

The placing of a permit in TINA results in the Division having to perform partial inspections on an "as necessary" basis rather than a monthly basis. In any event, the Division is still required to perform a complete inspection each quarter. The operator is to notify the Division district office, in writing, when ready to resume the mining operation. When TINA status expires, the operator is required to comply with the reclamation schedule in the permit for those areas in which contemporaneous reclamation was suspended.

  
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Gordon L. Hufford, Manager

Attachment

GH/tp