

OHIO DEPARTMENT OF NATURAL RESOURCES
DIVISION OF RECLAMATION

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

Underground 90-3
REPLACES UNDERGROUND 89-2 (REMOVE FROM FILE)

Subject: Pre-subsidence Surveys

Effective: April 1, 1990

Purpose: To establish a basis for assessment, repair and compensation to surface owners for damages arising from the conduct of underground mining to surface (or near surface) structures and facilities.

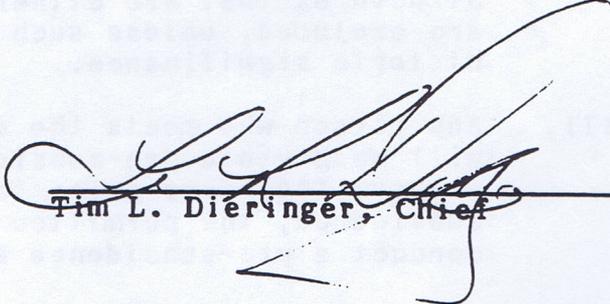
At least six (6) months prior to the anticipated date of undermining, the permittee or permit applicant for a planned subsidence underground mine operation shall notify, in writing, all residents and owners of structures and facilities located on and within one thousand (1000) feet measured planimetrically beyond the outermost face of the planned subsidence areas, of their intent to conduct a pre-subsidence survey. The pre-subsidence survey area for those structures outside the perimeter of the authorized mine plan shall be limited to structures within five hundred (500) feet of the perimeter. Notification shall include the statement that any pre-subsidence survey shall be conducted at least one hundred and eighty (180) days before subsidence is anticipated. The Chief may approve a lesser notification period than six (6) months prior to the anticipated date of undermining for the six (6) month period immediately following the effective date of this policy.

- II. For the purposes of this PPD, a structure or facility means any man-made object that is currently being used, or that is in a usable condition. Examples include, but are not limited to, buildings, dwellings, cisterns, septic systems, water lines, wells, bridges, water towers. Structures that are either abandoned or no longer in use are excluded, unless such structures have potential historic significance.
- III. Any person who meets the criteria described in Section I will be given a pre-subsidence survey. One hundred and eighty (180) days prior to the anticipated date of subsidence, the permittee or permit applicant shall conduct a pre-subsidence survey of all structures and

facilities within the survey area and prepare a written report of the survey. A modified time frame for completion of a pre-subsidence survey may be approved by the Chief, upon written request to the Chief, when circumstances warrant a lesser period of time provided the survey will still be completed before subsidence occurs at that location. An updated survey of any additions, modifications or renovations of structures or facilities shall be performed by the permittee or permit applicant if requested by any person meeting the criteria described in Section I. All such requests shall be made, in writing, directly to the Chief, who shall promptly notify the permittee or permit applicant.

IV. When conducting a pre-subsidence survey, the permittee or permit applicant shall determine the condition of structures and facilities and shall document any pre-subsidence defects, deteriorations, weaknesses or imperfections or other physical factors that could reasonably be affected by subsidence. Surface and near surface structures and facilities such as oil and gas wells, cisterns, wells and other water or sewage systems may be limited in assessment to surface conditions and other readily available data.

V. The written report of the survey shall be signed by the person(s) who conducted the survey. Copies of the report shall be provided to the owner or resident of the structure and facility which is the subject of the survey and shall be retained by the permittee for inspection by the Chief or his authorized representative upon request. When landowners or residents are provided with their copies of the pre-subsidence survey, the Division of Reclamation District Office with jurisdiction over the operation shall be notified, in writing, that the report has been completed. If the owner or resident disagrees with the content or recommendations contained therein, he or she may submit to both the permittee or permit applicant and to the Chief a detailed description of the specific areas of disagreement so long as the submittal occurs before the subsidence takes place.



Tim L. Dieringer, Chief