

OHIO DEPARTMENT OF NATURAL RESOURCES
DIVISION OF RECLAMATION

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

Technical 88-2

Subject: Ground Cover Requirements for Phase II and Phase III Bond Releases

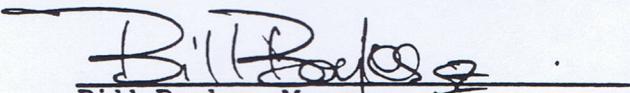
Effective: October 1, 1988

Purpose: To provide guidelines for interpretation of rule 1501:13-9-15 of the Ohio Administrative Code for evaluation of Phase II and Phase III bond release requests and to clarify the definition of ground cover.

Paragraph (E)(3)(b) of rule 1501:13-9-15, Ohio Administrative Code requires, in part, the vegetation to be established and the area to have sufficient ground cover to control erosion prior to approval of a phase II bond release request. For the purposes of this rule an area will not be approved for a phase II bond release until:

1. A minimum period of 90 days has passed since the area was planted. However, if the area is planted after August 1, then the area will not be eligible for a phase II bond release until May 1 of the following year. In all other instances, the "Date Planted" date as shown on the "Planting Report" form will be used to calculate the 90 day period. The "Planting Report" form is discussed in Policy/Procedure Directive Inspection & Enforcement 88-12; and
2. The area has sufficient ground cover to control erosion. In evaluating ground cover, as defined in paragraph (A)(2) of rule 1501:13-9-15, "litter that is produced naturally on site" will only include the non-living portions of plants that are still attached to a living rooted plant. Mulch and portions of plants not attached to a living plant will not be considered as litter and thus will not be included as ground cover.

Paragraph (E)(3)(c) of rule 1501:13-9-15, Ohio Administrative Code requires, in part, that the ground cover meet certain percentage standards for phase III bond releases. In evaluating the phase III bond release requests, the concept of litter as discussed in paragraph 2 above will be used in evaluating ground cover.


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BB/tld/tl

cc: OSM
All Regulatory Staff
Industry