

405 KAR 16:030. Signs and markers.

RELATES TO: KRS 350.200, 350.430, 350.465

STATUTORY AUTHORITY: KRS 350.028, 350.200, 350.465

NECESSITY, FUNCTION, AND CONFORMITY: KRS Chapter 350 in pertinent part requires the cabinet to promulgate rules and administrative regulations establishing performance standards for protection of people and property, land, water and other natural resources, and aesthetic values, during surface mining activities and for restoration and reclamation of surface areas affected by mining activities. This administrative regulation sets forth location and informational requirements for signs and markers at mine access points, perimeters, stream buffer zones, blasting areas, and topsoil storage areas.

Section 1. Specifications. Signs and markers required under this chapter shall:

- (1) Be posted and maintained by the permittee;
- (2) Be of a uniform design throughout the operation that can be easily seen and read;
- (3) Be made of durable material; and
- (4) Conform to local ordinances and codes.

Section 2. Duration of Maintenance. Signs and markers shall be maintained during the conduct of all activities to which they pertain.

Section 3. Mine and Permit Identification Signs. (1) Identification signs shall be displayed at each point of access to the permit area from public roads.

(2) Signs shall show the name, business address, and telephone number of the permittee and the person, if any, who conducts the surface mining activities on behalf of the permittee and the identification number of the current permit authorizing surface mining activities under KRS Chapter 350.

(3) Signs shall be retained and maintained until after the release of all bonds for the permit area.

Section 4. Perimeter Markers. The perimeter of a permit area shall be clearly marked before the beginning of surface mining activities.

Section 5. Buffer Zone Markers. Buffer zones as required under 405 KAR 16:060, Section 11, shall be marked along their boundaries.

Section 6. Blasting Signs. If blasting is conducted incident to surface mining activities, the permittee shall:

(1) Conspicuously display signs reading "Blasting Area" along the edge of any blasting area that comes within fifty (50) feet of any road within the permit area, or within 100 feet of any public road right-of-way.

(2) Prevent unauthorized entry to the immediate vicinity of charged holes by guarding or by conspicuous posting or flagging of the immediate vicinity.

(3) Place at all entrances to the permit area from public roads or highways conspicuous signs which state "Warning! Explosives in Use," which clearly explain the blast warning and all clear signals that are in use and which explain the marking of blast areas and charged holes within the permit area.

Section 7. Topsoil Markers. Where topsoil or other vegetation-supporting material is segregated and stockpiled as required under 405 KAR 16:050, Section 3, the stockpiled material shall be clearly marked. (8 Ky.R. 1529; eff. 1-6-1983; Crt eff. 7-3-2018.)