

Authorization to Proceed (ATP)

Edward Daniels Phase II
Abandoned Mine Land (AML) Reclamation Project
based on or Categorical Exclusion (CX)
Perry County, Kentucky

The Office of Surface Mining Reclamation and Enforcement (OSM) has completed a review of the March 1, 2012, request for ATP with construction activity on the Edward Daniels Phase II AML Reclamation Project prepared by the Kentucky Department for Natural Resources, Division of Abandoned Mine Lands (DAML). OSM found that the appropriate request documents were submitted with this Phase II proposal and made reference to appropriate documents within the first phase of this project. These documents appear to support the need for the proposed construction activity. OSM confirmed that the required information documenting the general AML problem for this project has previously been included in the AML Inventory System (AMLIS) under PA# KY-003628-SGA.

OSM reviewed the categorical exclusion (CX) prepared by DAML for the original project. OSM determined that the construction activity requested under this project conforms to the exclusion criteria in 516 DM 2 and 13, does not involve any of the general exceptions in 516 DM 13.5(A)(33) or extraordinary circumstances listed in 516 DM 2, Appendix 2, and is excluded from further NEPA environmental review. As a result, I agree that it is appropriate to refer to the previously signed Categorical Exclusion Determination (CX) from the original project. We recommend that appropriate consideration be given to the recommendations and comments provided in the response letters from the consultation agencies in the original project.

Accordingly, pursuant to Section 5-11-20D.3 of the Federal Assistance Manual and my signature on this notification document, DAML is authorized to proceed with the construction activity for this project as described in the ATP request documents submitted by DAML for this project and further conditioned in this notification, and expend Federal funds in accordance with AML grant terms and conditions.

The project authorization notice and NEPA review document, with associated pertinent support documents, will be posted for public notification and access on the "Kentucky Abandoned Mine Land (AML) Projects" web page of the Lexington Field Office (LFO) web site of the Appalachia Region web site, specifically at URL address <http://www.arcc.osmre.gov/FOs/LFO/AML/Projects.shtm>.



Joseph L. Blackburn, Field Office Director
OSM Lexington Field Office

3/12/2012

Date