

Authorization to Proceed (ATP)
Owen Hurley High Priority (HP)
Abandoned Mine Land (AML) Reclamation Project
based on Categorical Exclusion (CX)
Laurel County, Kentucky

The Office of Surface Mining Reclamation and Enforcement (OSM) has completed a review of the January 6, 2012 request for ATP with construction activity on the Owen Hurley High Priority (HP) AML Reclamation project, prepared by the Division of Abandoned Mine Lands (DAML) of the Kentucky Department for Natural Resources.

OSM found that the appropriate request documents were submitted in the ATP documents of the project; and 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).

OSM reviewed the categorical exclusion (CX) certification prepared by DAML for this 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 have signed the Categorical Exclusion Determination (CX) for this project.

Please ensure compliance with the following provisions in the ATP request documents noted here for emphasis or the authorization of this project is further conditioned as follows:

- Please forward to OSM any additional comments that you may receive from the consultation agencies regarding this project and include the recommendations that are offered in your construction activity.

Accordingly, pursuant to Section 5-11-20D.3 of the Federal Assistance Manual and my signature on this ATP notification document, DAML is authorized to proceed with 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.



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



Date