

49-427. Coal exploration operations; exploration regulations; trade secrets or privileged commercial or financial information confidential; limitations on amount of coal removed under exploration permit. (a) Coal exploration operations which substantially disturb the natural land surface shall be conducted in accordance with exploration regulations issued by the secretary. Such regulations shall include, at a minimum (1) the requirement that prior to conducting any exploration under this section, any person must file with the department a notice of intention to explore and such notice shall include a description of the exploration area and the period of supposed exploration and (2) provisions for reclamation in accordance with the performance standards of this act of all lands disturbed in exploration, including excavations, roads, drill holes, and the removal of necessary facilities and equipment.

(b) Information submitted to the department pursuant to this section which is a trade secret under the uniform trade secrets act (K.S.A. 60-3320 et seq. and amendments thereto), or information submitted to the department as privileged commercial or financial information which relates to the competitive rights of the person or entity intended to explore the described area shall be considered confidential and shall not be available for public examination.

(c) Any person who conducts any coal exploration activities which substantially disturb the natural land surface in violation of this section or regulations issued pursuant thereto shall be subject to the penalty provisions of this act.

(d) No operator shall remove more than 250 tons of coal pursuant to an exploration permit without specific written authority of the secretary.

History: L. 1979, ch. 169, § 15; L. 1988, ch. 192, § 28; L. 2005, ch. 67, § 4; July 1.