

DIVISION OF MINERAL MINING PROCEDURES MANUAL		PROCEDURE NO.	4.2.00
		ISSUE DATE	09/10/91
SUBJECT	Permit Renewal and Progress Reports	Section	Permitting
		Last Revised	

OBJECTIVE AND INTENT:

To ensure consistent and timely processing of permit renewals.

PROCEDURES:

1. The Program Support Technician for the Permitting Section **generates renewal letters off of the Mineral Mining System** notifying the mine operator of his upcoming renewal. This **Renewal Special Order Notice (DMM-106)** is mailed to the operator at least 90 days prior to the permit anniversary date.
2. Renewal Special Order Notice will instruct the operator to submit a **Yearly Progress Report (DMM-105)**, progress maps with **Map Legend (DMM-109)**, and **License Renewal Application (DMM-157)** to the DMM Mine Inspector 60 days prior to the anniversary date.
3. The Mine Inspector, will conduct site inspection and check the areas disturbed, regraded, and vegetated on the site against those indicated on the progress maps, and make sure that the appropriate color code or graphic symbol is used for identification of these areas. The Mine Inspector will review all permit renewals and make a recommendation as to renewal or denial on the **Inspection Report (DMM-104)**. As part of the review process the Mine Inspector will log the renewal onto the application tracking system (*DMM Procedure 4.16.00*), evaluate the effectiveness of the current mining plan, notify the operator of any required changes and review the enforcement file for outstanding violations, special orders, non-compliance or tonnage reports that may be relevant to the permit renewal. The Mine Inspector will conduct the site visit, review, and will return the renewal package to the operator for mailing to the DMM office with appropriate fees or for correction as noted in writing from the mine inspector, no later than 30 days prior to the anniversary date.
4. In cases where the operator elects not to submit maps due to no change in the operation, a statement of certification that no changes have occurred as prescribed in the Mineral Mining Regulations will be put on the Progress Report or included on a separate sheet and signed by the operator.
5. If the Inspector requires the operator to correct or revise the renewal package, the inspector will allow the operator to make the correction, meet with the Mine Inspector, if necessary, and mail the renewal and fees to the DMM office prior to the anniversary date.
6. The Mine Inspector will signify approval of the renewal package by initialing and dating the permit renewal documents.
7. The Mine Inspector will inform the operator that the renewal package must be submitted no later than 10 days prior to the anniversary date. If more than 10 days late, the permit revocation process will begin (*see DMM Procedure 2.11.00*).
8. The Mine Inspector will inform the operator that he must mail the renewal package including fees to the DMM office. DMM Mine Inspectors cannot accept or process the required fee.
9. If renewal materials are not received in the DMM office by the anniversary date of the permit, the Mine Inspector will issue a **Notice of Non-Compliance (DMM-110)** and a Closure Order to the operator requiring that these materials be submitted within 10 days following the issuance of the Non-Compliance and Closure Order.

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- If the anniversary materials are not submitted by the expiration date of the Notice of Non-Compliance, then bond forfeiture proceedings will be initiated (*see DMM Procedure 2.11.00*).
- Permit anniversary materials will be submitted and fees paid until such time as reclamation is approved for bond release. License renewal and license fees may be terminated once the initial site reclamation is completed. (*See DMM Policy 4.15.00 Termination of License Requirement.*)

PROGRESS REPORT REVIEW

- The Program Support Technician, in the Permitting Section, will pull the last progress map, amendment map or relinquishment map if the permit has been amended since the last anniversary date.
- The Program Support Technician will check the permit number, total acreage covered by permit, and the outline of the permit boundaries, comparing the new progress map with that of the previous year.
- The total number of acres disturbed on the last Progress Report plus the total number of acres disturbed during the last 12 months on the **new** Progress Report should equal the total number of acres disturbed since the original issuance of the permit. Subtract the total number of acres disturbed on the new Progress Report from the total number of acres covered by the permit to determine the number of undisturbed acres remaining on the original permit.
- Renewal fees are to be paid on the amount of land to be affected by the total operation in the ensuing year (disturbed land plus land to be disturbed in the next 12 months.)
- The Program Support Technician will verify the current permit map, Map Legend, License Renewal Application, Progress Report, and computer record for accuracy and consistency. The Program Support Technician will also verify that the Mine Inspector has reviewed and initialed the renewal package.

Acreage covered by the permit must be equal on all forms and in the computer file. If not, the following actions need to be taken:

- Check for amendment/release approved after the renewal notice was mailed to the operator. If approved amendment(s) are found, verify acreage.
- Operator wants to amend acreage but has not followed procedure. *See DMM Policy 4.6.00* and return renewal materials to Mine Inspector to provide operator assistance. Monies are to remain in the office and are to be handled in accordance with *DMM Policy 1.12.00 Receipts*.
- Acreage under bond the previous year must be equal on the new progress report and in the computer file. If not check for amendments/releases approved after the renewal notice was mailed to the operator and verify acreage.
- Additional acreage to be affected on the progress report must be equal to the map legend acreage to be disturbed **plus** the difference in the current permit map disturbed acreage and the new permit map disturbed acreage. Ex:

$$\boxed{\begin{array}{c} \text{DMM-105} \\ \text{Additional AC} \\ \text{Next 12 Months} \end{array}} = \boxed{\begin{array}{c} \text{DMM-109} \\ \text{To Be Dist} \end{array}} + \boxed{\begin{array}{c} \text{DMM-109} \\ \text{Dist on} \\ \text{New Map} \end{array}} - \boxed{\begin{array}{c} \text{DMM-109} \\ \text{Dist on} \\ \text{Current Map} \end{array}}$$

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Example: 12 AC= 10 + (91 - 89)

- Acres vegetated in the last 12 months and shown on the Yearly Progress Report must be accompanied by a **Bond Release Inspection (DMM-104d)** in order to be subtracted from the total renewal acreage on the progress report form or to be subtracted from the permitted or disturbed acreage on the map legend. (See *DMM Policy 4.4.00 for Bond Reduction and Release.*)

Progress Report Review - Permitting Section

1. The Program Support Technician will refer to the Mineral Mining System Manual/Permitting Section Renewal Package on procedures to follow in order to generate renewal forms to be mailed to operators and to generate listings to be mailed to the Mine Inspectors. Renewal notices will be mailed 90 days before anniversary date.
2. Upon receipt of the renewal package in the DMM office, the Program Support Technician will review the package for completeness and correct fees. If the package is complete, the Program Support Technician renews the permit and a letter is sent to the operator stating such. The Program Support Technician keys the approved renewal into the Mineral Mining System along with any updates. If the package is not complete, the Program Support Technician returns the renewal package to the Mine Inspector advising him of additions or corrections which must be made to the package. These functions are to be completed by the Program Support Technician within 2 days.
3. Amendments to add unpermitted acreage to the permit area will not be placed on the renewal maps. New maps and an amendment form must be submitted separately to amend new areas to the permit. (See *DMM Policy 4.6.00* for amendment process.)
4. The Program Support Technician, Permitting Section, will notify the Mine Inspector and the Mine Inspector Supervisor of any renewal that has not been received by the anniversary date. A memorandum will be sent as notification.