

**DEPARTMENT OF MINES, MINERALS AND ENERGY  
DIVISION OF MINED LAND RECLAMATION**

**GUIDANCE MEMORANDUM<sup>1</sup> No. 6-03**

**Issue Date: May 12, 2003**

**Subject: Permit Fees**

The Department of Mines, Minerals and Energy (DMME), Division of Mined Land Reclamation (DMLR) through this guidance memorandum is implementing the following guideline concerning permitting/anniversary fees.

The 2003 session of the General Assembly amended Section 45.1-235(E) of the Code of Virginia to increase the permit application fee of \$12 to "\$26 per acre for the area of land to be affected by the total operation for which plans have been submitted." In addition the anniversary fee of \$6 per acre for areas disturbed was increased to \$13 per acre. These rate increases will be effective as of July 1, 2003.

DMLR has mailed correspondence to a number of operations requesting permit application or anniversary fees with anniversary or effective dates before July 1, 2003, to be submitted at the current rates. Please be advised that if payment of the fees is not submitted by the close of business on June 30, 2003, the new rates will be applicable effective July 1, 2003.

In addition, the permit fee that will be applicable on a permit's anniversary or renewal date must be submitted. For example, if the anniversary date is July 1, 2003 or later and you wish to submit payment before that date, the new rate effective July 1 (\$13 per acre) must be submitted.

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<sup>1</sup> This Memorandum is to be considered a guideline issued under the authority of § 45.1-230.A1 of the Code of Virginia which reads:

"In addition to the adoption of regulations under this chapter, the Director may at his discretion issue or distribute to the public interpretative, advisory or procedural bulletins or guidelines pertaining to permit applications or to matters reasonably related thereto without following any of the procedures set forth in the Administrative Process Act (§ 2.2-4000 et seq.). The materials shall be clearly designated as to their nature, shall be solely for purposes of public information and education, and shall not have the force of regulations under this chapter or under any other provision of this Code."