

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

**GUIDANCE MEMORANDUM<sup>1</sup> No. 3-98**

**Issue Date:** April 21, 2008

**Subject:** Permit Streamline Procedures  
(issued 6/16/98, updated 10/1/01 & 04/21/08)

**Inspector's Copy of Completed/Approved Permit Application**

The permittee must submit the Inspector's copy of the complete and correct application upon completion of the application review (same time the OSM copy is provided to DMLR). 4VAC25-130-773.15

**Midterm Reviews**

DMLR shall conduct the comprehensive review of the permit at the middle of the permit's term. 4VAC25-130-774.11

**RENEWAL APPLICATIONS** (4VAC25-130-774.15)

When renewing a permit, the following material needs to be submitted to the DMLR:

- If the permittee wishes to **renew an existing permit under its current boundaries and conditions** –
  1. Application for permit renewal
    - (a) DMLR-PT-034e – (type of application code = **TJ**). If there are no changes to the existing plans, only the applicable portions of Sections 1 through 3.
    - (b) DMLR-PT-034D – certification.
    - (c) DMLR-PT-034p/DMLR-PT-034o – only if there are changes to the information currently on file with the Division.
  2. NPDES application (DMLR-PT-128).
  3. Sample public notice.
  4. Proof of publication (must be filed with the Division and made a part of the complete application not later than 4 weeks after the date of publication).
  5. Proof of liability insurance coverage (copy of the current policy on file).
  6. Renewal map with legend (DMLR-PT-017).
  7. Map showing the extent of underground mining (if applicable).
  8. Operator's seeding report (DMLR-PT-011) – only if seeding has occurred since progress report from the previous year.
  9. Evidence that the performance bond is in full force.

---

<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."

- If the permittee wishes to **revise the current plans or extend the mining and reclamation operation beyond the boundaries authorized in the existing permit**, *two separate application packages are to be submitted* as follows, so the DMLR can clearly distinguish between the renewal and revision applications:
  1. **Revision application - DMLR-PT-034e**: Include Sections 1, 2, 21 and those sections proposed to be revised and all applicable sections of the application for the areas to be amended to the existing permit; and
  2. **Renewal application** - (see above).

### **Remining Permit Streamline Procedures**

- Application content – provide standard application information and any information to detail the various mining incentives (e.g., AML features to be reclaimed, reasonable available spoil to be used to reclaim AML features).
- Application preparation – use of standardized forms (*DMLR-PT-034e*) and digital mapping.

Field reviews – DMLR remining permit review team will provide consultation prior to, during and after permit preparation, as requested; assist industry's and consultant's location of remining/AML features upon request (DMLR GPS capability); coordinate up-front site visits and review with other state and federal agencies to facilitate the permitting process; consider alternate sediment control designs if compliance can be demonstrated (alternate designs to be included in the sediment control designs of the permit).