

DIVISION OF MINED LAND RECLAMATION		PROCEDURE NO.	2.2.03
PROCEDURES MANUAL		ISSUE DATE	April 17, 2006
SUBJECT	Proof of Application Filing	Section	Technical/Permitting
		Last Revised	3/12/97

OBJECTIVE AND INTENT:

To ensure that applications for coal surface mining permits, permit renewals, or significant revisions are available for public review in the county or city where the operation is or will be located.

PROCEDURES:

Proof of Filing -

The applicant must file a complete copy of the application materials for public inspection and copying with the Clerk of the Circuit Court (city or county) where the mine site is located, or other accessible public office approved by the Division.

The applicant must obtain a receipt or other documentation from the Circuit Court Clerk, or other authorized person, as proof of filing of the application. Once submitted to DMLR, the receipt or documentation will be routed to the Review Specialist.

Failure to Provide Adequate Proof of Filing -

If the applicant does not provide proof of filing, the Review Specialist shall instruct the applicant to republish the public notice and refile the pertinent application materials (4 VAC 25-130-773.13(a) of the regulations).

The Review Specialist shall determine the length of the re-publication and additional comment period. The determination shall be dependent on the time period in which the application was not properly filed. The extended public notice and comment period shall be at least one publication date with a 30 day public comment period.

The applicant must submit adequate proof of filing to the Review Specialist for the additional publication and comment period.