

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

GUIDANCE MEMORANDUM¹ No. 2-85

Issue Date: April 21, 2008

Subject: Confidential Information (issued 2/8/85, updated 10/1/01 & 04/21/08)

§4VAC25-130-773.13(d)(3) describes the information which may be kept confidential in a permit application. Confidential information must be bound separately and clearly identified as "Confidential". Any information submitted as confidential and deemed by the DMLR not to be confidential will be returned to the permittee to incorporate into the electronic application.

¹ 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."