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| DIVISION OF MINED LAND RECLAMATION | | PROCEDURE NO. | 2.3.06 |
| PROCEDURES MANUAL | | ISSUE DATE | 08/15/2013 |
| SUBJECT | Permit Renewals | Section | Technical/Permitting |
| | | Last Revised | 02/20/04 |

OBJECTIVE AND INTENT:

To ensure complete permit renewal applications (coal surface mining operation and National Pollutant Discharge Elimination System) and renewal fees are properly handled by enforcement and permitting personnel.

PROCEDURES:

Notifications:

The Reclamation Program Manager will obtain a monthly report from the DMLR database, which provides the company name, permit number, current status, expiration date, and renewal date for those permits expiring in seven months.

The Reclamation Program Manager shall send notice by e-mail to the permittee at least 180 days prior to the permit's expiration date. A copy of the notification shall be sent to the appropriate Field Inspector.

The notification for renewal will inform the permittee of the renewal procedure, and provide the following information:

- if mining activities are to continue beyond the permit term, a renewal application must be submitted to the Division at least 120 days before the expiration of the permit.
- the coal surface mining operation (CSMO) portion of the mining permit would not have to be renewed once the mining permit has been declared complete, completion reports have been submitted to the Division, or when the permittee informs the Division in writing, via a completion letter, that mining will not continue after the permit's expiration date.
- the National Pollutant Discharge Elimination System (NPDES) permit must remain in force until final bond release (i.e., NPDES permits will be renewed every five years as long as any discharge exists). The permittee would be required to submit the NPDES renewal application to the Division at least 120 days prior to permit expiration.

Failure to Submit:

Should the permittee fail to submit the renewal application by the due date, the Reclamation Program Manager shall notify the Reclamation Services Manager so appropriate action may be taken per Procedure #3.3.01.

Field Review:

The Inspector shall:

- when a permit renewal date is approaching, the inspector should remind the permittee of the approaching due date required by 774.15(b) (1) and to document that the permittee was reminded of the renewal date. This should be documented in an inspection report at least the month prior to the 120-day due date. This is in addition to the e-mail notification that the Division sends out to the permittee 180 days prior to the actual renewal date.

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- write the date that the permit renewal was received and review the application for completeness and accuracy per procedure for Inspector Receipt and Review of Permit Materials (3.3.19). If the application is not complete, document the corrections or additional information needed (provide a copy to the company’s representative).
- once it is determined the application is administratively complete and ready for technical review, assign a publication/application number, and upload it into DMLR’s electronic permitting system. Once uploaded, it will be considered **officially submitted** and will be routed for processing by DMLR’s permitting section.
- initial or stamp paper portions of the application and attach the “Electronic Application Checklist and Routing Slip”. Forward any paper portions to the Divisions Big Stone Gap office.
- instruct the permittee to place a copy of the material at the approved public office for public access by the first date of public notice’s publication.

Office Review:

The Customer Assistance Center will check that a review was made by the Field Inspector (noting the inspector’s initials or stamp on materials), and route the application to the Permit Section.

The permittee only needs to submit the information required for the renewal application (see below) if he intends to continue operations within the existing permit boundaries and approved detailed plans. Should he wish to revise the current plans or extend the mining and reclamation operation beyond the boundaries authorized in the existing permit, two (2) separate application packages (renewal & revision) must be submitted:

- **Revision application** – (Electronic DMLR-PT-034e) to include those sections proposed to be revised and all applicable sections of the application for the areas to be amended to the existing permit.
- **Renewal Application** – The permittee should be informed that the information contained in the renewal notification letter must be provided with the renewal application.

Corrections - After review, if corrections are required, the Permit Review Specialist will send the application correction letter specifying a re-submittal date. This letter will include all comments made by the DMLR reviewers.

Approval of application - Once the application is ready for approval, the Permit Review Specialist will calculate the applicable bonds and fees, and notify the applicant in writing of the appropriate amounts. The fees and bond must be received prior to official issuance of the renewal.