

# PERMIT APPLICATIONS

## IMPORTANT INFORMATION AND POLICIES

Permit Applications; Permit Renewals; Permit Revisions (together known as “Permits”)

### GENERAL INFORMATION

- 1. APPLICATION FILE – THIS IS A NEW FILLABLE PDF FILE AND IS EFFECTIVE IMMEDIATELY. SOME PART SECTIONS HAVE CHANGED, BEEN RENUMBERED OR SHIFTED TO A DIFFERENT LOCATION. THEREFORE, PREVIOUSLY SUBMITTED WORD BASED APPLICATION FILES CANNOT BE REVISED AND SUBMITTED. ANY SUBMISSION USING THE OLD FILE WILL BE RETURNED WITHOUT REVIEW FOR RESUBMISSION.**
- A flowchart of the application review process from receipt to issuance is included as Exhibit 1 to this memorandum.
- Saving the Application File:** After filling in the form you must use “save as” to retain a copy of the data. **ONCE THE FILE IS CLOSED THE DATA WILL NOT AUTOMATICALLY SAVE.**
- Delivery of Correspondence** - All correspondence during the review process will be submitted via email and a read receipt requested, therefore, please ensure that the appropriate updated email is included on the application form. The read receipt serves as evidence that the correspondence was “delivered”.
- Permit Review Timing** - Permits are reviewed in chronological order based on the date received.
- Permit Reviews** – Each permit will be reviewed by individual permit reviewers by application part: administration, environmental resources information, operations plan, reclamation plan, and bonding.
- Termination of Issued Permits** - Issued Permits shall terminate prior to its expiration date if the permittee has not commenced the surface coal mining operations covered by such permit within three (3) years of issuance of the permit.
- Completed Permits pending bonding** shall terminate one year after the date the application was submitted. Notification will be made to the applicant prior to termination.
- Permits not completed** before six months after application submittal shall terminate and a new permit application and associated fee will be required. Exceptions are delays outside the control of the applicant and ASMC.
- Permit Fee Payments** – just as a reminder, permit application fees must be paid in the form of a certified check, money order or cash. Check and money order preferred. Company checks are not accepted. Company checks will be returned and the permit review process held until rectified.

### APPLICANT RESPONSIBILITIES

- Right to Mine** - Prior to issuance of a mining permit, permit applications must contain evidence showing the right to mine as required in Part I-C-1. for all increment(s) on which mining is to commence. Note: that right to mine beginning and expiration lease term provisions and dates have been added.
- Renewal Application Deadline** – applications for permit renewals must be filed with the ASMC together with the appropriate renewal fee at least 120 days prior to expiration of the current permit as required in Section 880-X-8B-.05(b)

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3. Response to Discrepancy Letters – Each individual reviewer will submit to the applicant a “discrepancy letter” indicating all discrepancies noted during their initial review. Should the applicant’s response to the first letter not adequately correct the issue raised, follow up discrepancy letters will be sent. This letter will address any deficiencies contained in the first letter that have not been resolved, as well as, any additional points found during subsequent reviews. Timely discrepancy responses will facilitate the review and minimize delays in permit issuance determinations.

### COMMISSION RESPONSIBILITIES

4. Pre-mine inspection – A pre-mine inspection will be conducted by a member of the technical group jointly with a member of the inspection and enforcement staff for every new permit application received by ASMC. This inspection will be conducted no later than the pre-issuance conference, unless otherwise deemed necessary by the ASMC.
5. Deadline for Final Permit Determination - The Commission is required to grant, require modification, or deny a permit within thirty (30) days after an informal conference, if any. Deadlines can be extended at the option of the ASMC.
6. Deadline for First Discrepancy Letter - It is the policy of the ASMC that the first discrepancy letter from each permit reviewer be submitted to the applicant as soon as possible, but in no case later than 30 business days from date of application receipt.

EXHIBIT 1 – Flowchart Permit Application Review Process – From receipt to issuance.

ASMC 2/20