

Alabama Surface Mining Commission
Public Records Access Policy
Effective October 1, 2020

Alabama law provides every citizen a right to inspect and copy public records (Code of Alabama 1975, §36-12-40 and-41). In compliance with these requirements the Alabama Surface Mining Commission (ASMC) maintains the following policies and procedures regarding access to its public records:

ON-SITE RESEARCH

- Members of the public may access the ASMC's public records Monday through Friday between 8:00 a.m. and 4:30 p.m.
- Copies of the ASMC's public records may be obtained during the same hours. Information is available from hard copy files or via the public computer located in the library. *NOTE: Certain records in the possession of the ASMC are deemed confidential by law and not available for public review, see note below for further information.*
- Citizens will be required to PROVIDE IDENTIFICATION prior to inspection of requested documents, SIGN THE VISITORS LOG with name and company affiliation, and abide by ASMC COVID 19 PROTOCOL when in affect.
- The ASMC may enforce reasonable limitations on the number of citizens who may inspect or copy records at any one time so as not to disrupt the work of the ASMC employees.
- Visitors are to remain in the permit library at all times. Relocating outside the permit area to an employee's office without prior approval will result in your being asked to leave the Agency.
- Members of the public are not allowed to bring briefcases, boxes, backpacks, etc. into the permit room. All such items must be left with the permit library manager. Additionally, no notebooks, file folders or file pockets containing other documents will be allowed in the permit room. Notebooks will be made available for your use if needed.
- Members of the public are required to utilize the FILE CHECKOUT AND CHECK-IN LIST prior to retrieving a file and after returning the file or placing it in the basket to be re-filed. All information on the FILE CHECKOUT AND CHECK-IN LIST must be completed.
- No food or drink is allowed in the permit room.
- **UNDER PENALTY OF LAW, ASMC PUBLIC RECORDS ARE NOT TO BE REMOVED FOR ANY REASON FROM THE PERMIT ROOM.**
- Confidential Information - In accordance with State and Federal law some ASMC records may not be available for public access. Such records include, but are not necessarily limited to: certain production, financial, coal quality data or the like submitted by a license or permit applicant; identification of any complainant wishing to remain anonymous; information as to any active investigative or enforcement proceeding; and information pertaining to employees or applicants for employment of a confidential nature. A request to review any information deemed Confidential, may be made in writing to the ASMC Director for review. Any such request should clearly state the requestor's basis for claiming a right to access such confidential information.

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- Associated costs for on-site information requests:
 - Copies of records are at a designated price per page as indicated in Table 1.
 - An additional fee of \$5.00 per copy will be applied to copies of documents that are not obtained from the Alabama Surface Mining Commission
 - Time, if any, for ASMC staff assistance in excess of 15 minutes will be charged in 15-minute increments with a minimum 15-minute charge at \$12.50 per 15-minute increment.
 - Payment is required prior to receipt of requested documents unless previously authorized for monthly billing.

OFF SITE INFORMATION REQUESTS:

In lieu of On-Site visits, citizens wishing to obtain copies of public records without visiting the public library must complete the fillable PDF request form and email the completed form to asmc@asmc.alabama.gov , hand deliver or mail the completed form to:

Open Records Request
Alabama Surface Mining Commission
P O Box 2390
Jasper, AL 35502

- Upon receipt, if the request is approved, the ASMC Director will direct an ASMC employee to gather the requested information. The documents will then be either be sent by mail or provided via electronic methods. If your request is not approved you will be informed in the same method as your request was received.
- Associated costs for off-site information requests:
 - Cost of informational research conducted by ASMC staff will include the cost of copies, cost of ASMC research time and postage/shipping costs. The price per copy and the cost for ASMC research time is indicated in Table 1.
 - Cost of copies of ASMC public records provided to the public by compact disc or thumb drive will be at the price per compact disc plus the cost for ASMC staff time indicated in Table 1, plus postage and handling if the CD is mailed.
 - Cost of electronic copies of ASMC public records provided to the public by e-mail will be at the cost for ASMC staff time indicated in Table 1.
 - Electronic copies of ASMC public records transferred a thumb drive will also be at the cost for ASMC staff time indicated in Table 1 plus the costs of the thumb drive.
 - In some instances, the requestor may be asked to provide a retainer toward the estimated cost of conducting the copies and research. Any payment received in excess of normal billed costs will be refunded after work is completed.

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- Every effort will be made to provide public records within a reasonable time period. Should you have questions about this public records access policy or need further assistance accessing an ASMC public record, please direct any inquiry to the Office of the Director at 205-221-4130 or by email to asmc@asmc.alabama.gov. Please allow 48 hours to respond to your initial inquiry. Time required for subsequent research depends on the extent of requested information.
- The ASMC reserves the right to decline major research projects that would require significant time away from the employee(s) daily responsibilities. The Agency is not set up to conduct large projects and in this case you will be notified that arrangements will need to be made for an in-office visit to conduct your research.

**TABLE 1
Cost of Alabama Surface Mining Commission Public Records*****

Item	Price Per Item
8.5 x 11 copy	\$ 1.00
8.5 x 14 copy	\$ 1.00
11 x 17 copy	\$ 1.25
18 x 24 copy	\$10.00 *
24 x 36 copy	\$20.00 *
30 x 42 copy	\$30.00 *
36 x 48 copy	\$40.00 *
Compact Disc or Thumb Drive of Electronic Records	\$10.00
ASMC staff time for research and copies	\$50.00 per hour **
Postage	As assessed by the carrier

- * An additional fee of \$5.00 per copy will be applied to copies of documents that are not obtained from the Alabama Surface Mining Commission
- ** Time for ASMC staff in excess of 15 minutes will be charged in 15-minute increments with a minimum 15-minute charge at \$12.50 per 15-minute increment.
- *** Payment is required prior to receipt of requested documents unless previously authorized for monthly billing.