

ALABAMA SURFACE MINING COMMISSION
PUBLIC RECORDS REQUEST GUIDELINES

Alabama law provides every Alabama citizen a right to inspect and copy public records (Code of Alabama 1975, § 36-12-40 and -41). Public Records Requests are accepted only from Alabama citizens. ASMC will not honor any Requests from parties outside the State of Alabama in compliance with Attorney General Opinion 2018-030 dated April 19, 2018, executed by the Alabama Attorney General, Mr. Steve Marshall. The ASMC will consider Public Records Requests ONLY when the Requestor can answer “Yes” to all the following statements:

- I am a Citizen of the State of Alabama.
- I have read and understand the Alabama Surface Mining Commission Public Records Guidelines.
- I agree to pay the actual research costs as invoiced by the ASMC prior to the ASMC releasing the records requested.
- I agree to pay an upfront research deposit if the ASMC deems the time and effort to complete the records request is extensive, more than nominal, and deemed time-intensive.
- I understand that the ASMC will refund in a timely manner any unused deposit funds. The amount invoiced and paid from the deposit will be only that amount related to the reasonable costs incurred by the ASMC in producing the records.

POLICIES AND PROCEDURES

The Alabama Surface Mining Commission (ASMC) maintains the following policies and procedures regarding approved access to ASMC public records:

ON-SITE RESEARCH

- Members of the public may access the ASMC’s public records library Monday through Friday between 8:30 a.m. and 4:30 p.m. Copies of the ASMC’s public records may be obtained during the same hours.
- Permit library activity is always monitored and recorded via video cameras.
- **UNDER PENALTY OF LAW, ASMC PUBLIC RECORDS ARE NOT TO BE REMOVED FOR ANY REASON FROM THE PERMIT ROOM.**
- 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 may be deemed confidential by law and not available for public review; see note below for further information.

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- Visitors will be required to
 - PROVIDE PHOTO IDENTIFICATION prior to inspection of requested records,
 - SIGN THE VISITORS LOG with name and company affiliation and,
 - Fill out the FILE CHECK-OUT AND CHECK-IN LIST prior to requesting the permit library manager to retrieve file(s) and after returning the file(s) by placing it in the basket to be refiled by the permit library manager. All information on the FILE CHECK-OUT AND CHECK-IN LIST must be completed including the mine name and permit number reviewed.
- The ASMC may enforce reasonable limitations on the number of visitors inspecting and/or copying records at any one time so as not to disrupt the work of the ASMC employees.
- Visitors are to always stay in the permit library with the exception of taking restroom breaks and are not to roam or visit employee offices or other work areas without invitation.
- Blank notebooks will be provided to permit library visitors. All other items are prohibited including, but not limited to, briefcases, boxes, backpacks, notebooks, file folders or file pockets, other documents, etc. It is recommended that such items be left in your car as the permit library manager cannot be held responsible for safeguarding any personal items.
- No food or drink is allowed in the permit room.
- Visitors are expected to take due care in handling ASMC records and to return the records in the same order and condition in which they were received.
- 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(s); and confidential information pertaining to employees or applicants for employment. 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.
- Associated costs for on-site information requests are included in Table 1. Payment is required prior to ASMC releasing the requested documents.

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OFF SITE INFORMATION REQUESTS:

In lieu of On-Site visits, Alabama citizens wishing to obtain copies of public records without visiting the public library can complete the fillable PDF request form available on the ASMC website at <https://surface-mining.alabama.gov> and email the completed form to asmcpublicrecords@asmc.alabama.gov, or hand deliver, or mail the completed form to:

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

- ASMC will strive to acknowledge all records requests within two business days of receipt and either fulfill or deny the request within 15 business days thereafter, with the exception of requests that are deemed as “time-intensive” (a request that is determined to take in excess of 8 hours of staff time to fill). We will notify you of our estimated time and cost to fulfill any time-intensive request and provide you the option to amend or withdraw your request before proceeding. Should you elect to proceed with your original request, we will strive to fulfill or deny your request within 45 business days from receipt of your election.
- Upon the ASMC fulfilling your request, an invoice will be prepared and submitted to you for payment. Upon receipt of payment, the records will be released to you by mail or electronic methods at your preference subject to our ability to comply.
- Every effort will be made to provide public records as timely as possible. However, we have a limited staff whose primary job-related responsibilities come first in order to honor our agency’s mission. Therefore, do not expect immediate results. The time required for research depends on the complexity and extent of requested information.
- 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 Public Records Coordinator at 205-221-4130 ext. 232 or by email to asmcpublicrecords@asmc.alabama.gov. Please allow two business days for the ASMC to respond to your initial inquiry.

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

Item	Price Per Item
8.5 x 11 copy	\$.50
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 *
Thumb Drive of Electronic Records	\$5.00
ASMC staff time for research and copies	\$20.00 per hour **
Postage and Handling	As assessed by the carrier

* An additional fee of \$5.00 per copy will be applied to copies of records that are not obtained from the Alabama Surface Mining Commission.

** Staff time expended in retrieval and research of requested records will be charged at the rate of \$20.00 per hour, with a standard minimum fee of \$20.00 applicable to requests consuming less than an hour's response time.

*** Payment is required prior to receipt of requested records.