

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

GUIDANCE MEMORANDUM¹ No. 9-98

Issue Date: April 21, 2008

Subject: Permit Streamline Procedures - Forms
(issued 12/17/98, updated 10/1/01 & 04/21/08)

As of March 1, 1999, the Division will require permitting action be submitted on the following electronic forms. (If you are just revising permittee or operator information, you need only submit the completed DMLR-PT-034o or DMLR-PT-034p, as applicable.) The certification form (DMLR-PT-034D) needs to be submitted with each application package.

DMLR-PT-034e	<u>Application for Coal Surface Mining and Reclamation Operations. General and Technical Information</u>
DMLR-PT-034eg	<u>Application Guide.</u> (The guide will identify the other permitting forms which may be used.)
DMLR-PT-034p	<u>Application for Coal Surface Mining and Reclamation Operations Permittee Information</u>
DMLR-PT-034pg	<u>Application for Guide – Permittee Information</u>
DMLR-PT-034o	Application for Coal Surface Mining and Reclamation Operations - Operator Information
DMLR-PT-034og	<u>Application for Guide – Operator Information</u>
DMLR-PT-034D	<u>Certification of Application</u>

The DMLR permitting forms are available through the Internet (<http://www.mme.virginia.gov/Dmlr/default.htm>) in Acrobat and Microsoft Word versions.

RENEWAL APPLICATIONS (4VAC25-130-774.15)

When renewing a permit, the following material needs to be submitted to the DMLR:

- If the permittee wishes to **renew an existing permit under its current boundaries and conditions** –

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."

1. Application for permit renewal
 - (a) **DMLR-PT-034e** – (type of application code = **TJ**). If there are no changes to the existing plans, only the applicable portions of Sections 1 through 3.
 - (b) **DMLR-PT-034D** – certification.
 - (c) **DMLR-PT-034p/DMLR-PT-034o** – only if there are changes to the information currently on file with the Division.
 2. NPDES application (**DMLR-PT-128**).
 3. Sample public notice.
 4. Proof of publication (must be filed with the Division and made a part of the complete application not later than 4 weeks after the date of publication).
 5. Proof of liability insurance coverage (copy of the current policy on file).
 6. Renewal map with legend (**DMLR-PT-017**).
 7. Map showing the extent of underground mining (if applicable).
 8. Operator's seeding report (**DMLR-PT-011**) – only if seeding has occurred since progress report from the previous year.
 9. Evidence that the performance bond is in full force.
- If the permittee wishes to **revise the current plans or extend the mining and reclamation operation beyond the boundaries authorized in the existing permit**, *two separate application packages are to be submitted* as follows, so the DMLR can clearly distinguish between the renewal and revision applications:
 1. **Revision application - DMLR-PT-034e**: Include Sections 1, 2, 21 and those sections proposed to be revised and all applicable sections of the application for the areas to be amended to the existing permit; and
 2. **Renewal application** - (see above).

Midterm Evaluations

The Division will conduct the detailed comprehensive review of the existing permit at the middle of the permit's term (as per 4VAC25-130-774.11(a) of the regulations). As part of the Division's mid term permit evaluation, it may request a reassessment of the Probable Hydrologic Consequences (PHC) determination.

Upon completion of the Division's mid term evaluation (field and technical review), the permittee will be notified of the DMLR findings. The notification letter will inform the permittee that the permit's plans are:

- adequate and no permit revision is required;
- adequate; however, an updated PHC assessment report is required; or
- inadequate; the letter will list the sections (under **DMLR-PT-034e**) that need to be revised.