



Kentucky  
Department for Surface Mining  
Reclamation and Enforcement

# Reclamation Advisory Memorandum

From: Carl Campbell, Commissioner *CC.*  
Date: June 18, 1996  
Subject: New Application Form for Permit Renewals

## RAM # 120

The Department for Surface Mining Reclamation and Enforcement has recently been involved in an extensive evaluation of its permitting process. By working with representatives of the coal industry, the environmental community, sister agencies, and the general public, we have been able to identify several areas where we believe improvements can be made which should provide a more responsive and efficient process. One recent improvement is the development of a simplified Application for Renewal of a Mining Permit, new form MPA-09-R.

- The Renewal Application has been reduced from five pages to two pages, now printed front and back on a single sheet.
- Generally, maps will no longer be required, although maps may occasionally be needed to resolve a citizen's protest or to address other concerns on a case by case basis.
- The applicant must submit an updated Certificate of Liability Insurance form SME-29, or a letter from his liability insurance company that shows coverage will continue.
- Except for surety bonds, the applicant will affirm that the bonds will remain in effect for the renewed permit by completing a single statement in the application and Division of Permits personnel will verify the documents currently held on file with the Department. For surety bonds, the applicant must submit a notarized letter from the surety stating that the bond will remain in effect for the renewed permit.

New form MPA-09-R will be available at the DSMRE Regional Offices and the Division of Permits in Frankfort. The effective date of the new form is August 1, 1996. Please do not submit a renewal application on the old form after July 31, 1996. As before, an updated MPA-01 form (Permittee Information) must be submitted along with the MPA-09-R, and an MPA-02 form (Operator Information) is also needed if an operator will conduct operations for the permittee.

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Applicants may generate their own application forms after obtaining the necessary specific approvals from the Department. Inquiries regarding such approval should be addressed to Lyle Shaw, Assistant Director, Division of Permits.

If you have any questions about the new form MPA-09-R, please contact any Regional Office or call Tim Sullivan, Supervisor, Renewals and Midterm Reviews, in the Division of Permits in Frankfort at (502) 564-2320, extension 643.

New form MPA-09-R and filing instructions are attached.

## FILING INSTRUCTIONS FOR APPLICATION FOR RENEWAL OF A MINING PERMIT

- The renewal applications must be submitted at least 120 calendar days prior to the expiration of the permit being renewed.
- An MPA-01 form must be filed with each renewal application.
- An MPA-02 form must be filed if an operator is conducting the mining operation.
- Each application (MPA-09R, MPA-01 and MPA-02) must be filed under separate cover. The original must be bound in a red cover and accompanied by two complete copies bound in black covers.
- No maps are required to be filed with the initial submittal of the MPA-09R application. A map or other information may be required during technical review if it is determined to be necessary.
- For the surety bond(s) on file with the Department for the permit being renewed, the applicant must provide a letter in the application from the surety company which states that the specific bond(s) will remain in effect for the renewed permit. The letter must identify the specific bond type, number and amount for each bond the letter is intended to cover.
- An updated Certificate of Liability Insurance or a letter from the liability insurance company stating that the insurance will remain in effect for the renewed permit must be included in the application.
- Any questions regarding completion of the application should be addressed to Tim Sullivan with the Division of Permits at (502) 564-2320.

# APPLICATION FOR RENEWAL OF A MINING PERMIT

This application should be filed to renew a valid existing permit. It must be submitted at least 120 days prior to the permit expiration date, and shall be filed in conjunction with MPA-01.	PERMIT NUMBER _____ DSMRE ID NUMBER _____
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**Include a permit fee of \$375 payable to "Kentucky State Treasurer".**

**1. Applicant Information**

1.1 Applicant Name \_\_\_\_\_  
 Mailing Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Telephone No. (\_\_\_\_) \_\_\_\_\_

1.2 Indicate the individual to whom all permit application correspondence, including return of this application for corrections or modification, is to be addressed.  
 Name \_\_\_\_\_ Telephone Number (\_\_\_\_) \_\_\_\_\_  
 Mailing Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

**2. Advanced Notification Information**

2.1 Is permit area proposed for renewal located within boundaries for which a governmental planning agency has jurisdiction to act with regard to land use, air, or water quality planning, or located within the official limits of any town, city, or municipality?  YES  NO. If "YES", provide agency name:  
 Agency Name \_\_\_\_\_

2.2 Is permit area proposed for renewal located within boundaries of any sewage and/or water treatment authorities, water companies which provide sewage or water services to citizens in the area of the proposed permit, or are water sources, collection, treatment, or distribution facilities located in the area of the proposed permit?  YES  NO. If "YES", provide name and correct mailing address:  
 Authority/Company Name \_\_\_\_\_  
 Mailing Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

2.3 Is permit area proposed for renewal located within the watershed of any U.S. Army Corps of Engineers projects?  YES  NO. If "YES", indicate below and provide one additional copy of the application:

<input type="checkbox"/> Buckhorn Lake	<input type="checkbox"/> Grayson Lake	<input type="checkbox"/> Middlesboro Flood
<input type="checkbox"/> Carr Fork Lake	<input type="checkbox"/> Green River Watershed	<input type="checkbox"/> Control Project
<input type="checkbox"/> Cave Run Lake	<input type="checkbox"/> Lake Barkley	<input type="checkbox"/> Watershed
<input type="checkbox"/> Dale Hollow Lake	<input type="checkbox"/> Lake Cumberland	<input type="checkbox"/> Paintsville Lake
<input type="checkbox"/> Dewey Lake	<input type="checkbox"/> Martin's Fork	<input type="checkbox"/> Yatesville Lake
<input type="checkbox"/> Fishtrap Lake	<input type="checkbox"/> Watershed	

**3. Bonding and Insurance**

3.1 The performance bond(s) will remain in full force and effect for the renewed permit. For surety bond(s) on file with the Department, submit with this application a notarized letter from the surety stating that the bond(s) will remain in effect for the renewed permit.

3.2 Submit an updated original Certificate of Liability Insurance form SME-29, or a letter from the liability insurance company stating that coverage will remain in effect for the renewed permit.

**4. Notice of Intention to Mine**

4.1 List the name of the newspaper of largest circulation in EACH COUNTY in which the operation being renewed is located:

COUNTY	NEWSPAPER

4.2 Include as "Attachment 4.2.A" a separate page showing the language of the "Notice of Intention to Mine" to be advertised in the newspaper(s) listed in item 4.1. In accordance with 405 KAR 8:010, Section 8., a copy of each of the four newspaper advertisements or an affidavit from the newspaper editor(s) must be submitted to the Department not later than 15 days after the date of the final advertisement.

**5. Applicant/Authorized Agent Signature**

5.1 The undersigned, being first duly sworn, states that he/she has read all the information provided in Form MPA-09R, "Application for Renewal of a Mining Permit," and has found it to be true and correct. The undersigned further acknowledges that any information provided or omitted herein for the purpose of defrauding or misleading the Natural Resources and Environmental Protection Cabinet may result in criminal charges being instituted pursuant to applicable state laws.

Applicant Company Name \_\_\_\_\_  
 Name of Applicant or Agent \_\_\_\_\_  
 Whose Signature Appears Below \_\_\_\_\_  
 Title \_\_\_\_\_ Telephone (\_\_\_\_) \_\_\_\_\_  
 Signature of Applicant or Agent\* \_\_\_\_\_  
 Date of signature \_\_\_\_\_  
 Subscribed and sworn to before me by \_\_\_\_\_  
 This the \_\_\_\_\_ Day of \_\_\_\_\_, \_\_\_\_\_  
 Notary Public \_\_\_\_\_  
 My commission expires \_\_\_\_\_ State in which Commissioned \_\_\_\_\_

**\*NOTE:** Attach a notarized copy of documentation (power of attorney, resolution of board of directors, etc.) appropriate for the permittee's legal structure which grants signer the legal authority to represent the applicant in this application. (Does not apply to a single proprietorship or partnership.)