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SECRETARY




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COMMONWEALTH OF KENTUCKY  
DEPARTMENT FOR NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION  
BUREAU OF SURFACE MINING RECLAMATION AND ENFORCEMENT  
GENE BRANDENBURG  
COMMISSIONER  
FRANKFORT, KENTUCKY 40601

RECLAMATION ADVISORY MEMORANDUM NO. 16

TO: All Regional Engineers  
Coal Operators and Company Engineers  
Consulting Engineers  
Coal Operator Associations  
BSMRE Directors

FROM: Gene Brandenburg, Commissioner   
Bureau of Surface Mining Reclamation  
and Enforcement

SUBJECT: Administrative Review of Permit Applications

DATE: November 14, 1979

The Department for Natural Resources and Environmental Protection, through the Bureau of Surface Mining Reclamation and Enforcement, is constantly seeking ways in which to shorten the review time for permit applications. A study of the permit review procedure is being conducted by the department's Task Force on Permitting and Bonding, as established by Secretary Harscher. We have been addressing ways in which the review procedure for permit applications can be shortened without curtailing the thoroughness of the review, and ways to decentralize as much of the process as possible without losing the integrity of our current process.

As you are probably aware, the permit review process is divided into two basic components. The first component of the review process is called the Administrative Review. During the Administrative Review the permit application is carefully reviewed as to content to insure that all documents have been properly completed, signed and that all supportive papers such as bonds and maps are attached. The second portion of the review process is called the Technical Review. During the

Technical Review the permit is reviewed to insure that the application has been prepared to conform technically with the requirements of the department's regulations.

It is the bureau's estimation that the Administrative Review is a process which could and should be performed by the Regional Offices without deterioration of our quality control and with significant time savings. The Permitting and Bonding Task Force and the department's staff are of the opinion that because of the proximity of the Regional Offices to the operator and the engineer who prepares the operator's permit application, there can be substantial savings of time in the case of needed corrections if the Administrative Review is performed in the Regional Office; again, without loss of control or integrity of the permit product.

The Bureau of Surface Mining Reclamation and Enforcement, therefore, accepts the Task Force's recommendations and is proposing, with the Secretary's concurrence, to establish the Administrative Review in a selected Regional Office on an experimental or prototype basis. Depending upon the outcome of this experimental procedure, a determination will be made as to whether or not it is advisable to proceed with the placing of the Administrative Review in the remaining six regional offices.

We have determined that the London Regional Office is the office in which this will be tried experimentally. Therefore, beginning December 1, 1979, all permit applications within the area under the supervision of the London Regional Office will be submitted to that office for the Administrative Review. Upon the completion of the Administrative Review by the London Regional Office, the permit application will be forwarded to the Frankfort Office for Technical Review.

You will be kept advised of the results of this experiment and if the results are positive, we will place the Administrative Review in the remaining six regional offices as the timing is appropriate. You will then be advised as to the effective date on which the Administrative Review process may be delegated to the remaining six regional offices.

We appreciate your cooperation and efforts in making this process a productive and workable arrangement to all concerned.