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DEPARTMENT FOR NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION  
BUREAU OF SURFACE MINING RECLAMATION & ENFORCEMENT  
DIVISION OF PERMITS  
CAPITAL PLAZA TOWER  
FRANKFORT, KENTUCKY 40601

AMENDMENT TO RECLAMATION ADVISORY MEMORANDUM 81-03 #29

TO: Coal Operators and Company Engineers  
Coal Operator Associations  
Consulting Engineers  
Bureau of Surface Mining Reclamation and Enforcement Division  
Directors and Regional Administrators

FROM: Elmore C. Grim, Commissioner *E.C.G.*  
Bureau of Surface Mining Reclamation and Enforcement

DATE: August 11, 1981

SUBJECT: Interim Permit Applications for Existing Coal Preparation Plants

This is to advise that Reclamation Advisory Memorandum 81-03 dated March 30, 1981, is amended by this document. The two most significant changes are the re-defining of coal preparation to include those coal handling facilities that crush or mechanically size coal and the extension of the existing coal processing plant application filing date to October 15, 1981.

Under this revised policy, those plants which are subject to the permitting requirements are any facilities that clean, crush, or mechanically size coal. All coal processing plants that meet this definition must file an application regardless of where they are located. Concerning permitting requirements, however, there is one important distinction between those plants that wash and separate impurities and those that only crush and mechanically size coal. The simple crushing and sizing plants will be required to complete only the hydrologic protection plan for surface water in addition to the administrative information required in the permit application. For purposes of permitting existing facilities, if there is no new disturbance, even the hydrologic protection plan will not have to be completed. The new disturbance date has been extended to any facility that is constructed after August 15, 1981.

To reiterate, therefore, a plant which only crushes or mechanically sizes coal will have to complete pages 1, 2, and 3 and Item 31 on page 8, if no new disturbance has been created. Applicants planning a new disturbance will additionally have to complete Item 27. For more detailed permitting instructions, consult the Application for An Existing Coal Processing Facility, and its attendant Instruction Manual dated April 1981.

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The above policy still generally excludes independent loading facilities. However, those loading docks and other transfer facilities which are used in connection with or incident to a surface or underground mine or preparation plant will have to be permitted if they: 1. Are owned or leased and used by the owner of the surface or underground mine or preparation plant; and, 2. Are located within five miles of the permit area. These two qualifications apply not only to loading ramps but also to all other incidental facilities including rail lines, cross-country conveyor belts, and coal storage areas owned and used by a permittee. Any loading facility which hand-picks coal that does not meet the two specifications described above, and which does not maintain a waste dumping area will not have to be permitted.

The August 15, 1981, filing date has been extended to October 15, 1981, for Existing Coal Processing Facilities. The Bureau will therefore not initiate any enforcement action to insure that all existing coal processing plants are properly permitted until after October 15 .

The Existing Coal Processing Facility forms and instruction manual may be obtained at any one of the Bureau of Surface Mining Reclamation and Enforcement regional offices. If there are any questions concerning this memorandum or the interim application, contact Jim Baker or Alex Barber at 6th floor, Capital Plaza Tower, Frankfort, Kentucky 40601, (502) 564-2320.

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