



Kentucky
Department for Surface Mining
Reclamation and Enforcement

Reclamation Advisory Memorandum

From: R. F. Knarr, Commissioner

R. F. Knarr

Date: October 31, 1985

Subject: Advertising Requirements for Transfer, Assignment or
Sale Applications, Two-Acre or Less and Interim Revisions

RAM # 83

In RAM #50, the Department issued a full explanation of acceptable procedures for newspaper advertisements. The purpose of this RAM to advise the industry of advertising changes for the Application for Approval of Permit Transfer, Assignment or Sale of Permit Rights, Two-Acre-or-Less Application and revisions to expired interim permits. All other newspaper advertisement procedures are unchanged from RAM #50.

Transfer Applications

Transfer applications need only be advertised once. The advertisement should read as shown below. Please note that statements within brackets ([]) are for use in underground and auger advertisements and may be omitted for surface operations.

NOTICE OF INTENTION TO MINE Pursuant to Application Number (New Application No.)

In accordance with the provisions of KRS 350, notice is hereby given that (existing company name and address) intends to transfer permit number (old permit number) to (new company name and address). The new permit number will be (new permit number). This operation affects a surface disturbance of (no.) acres [and underlies an additional (no.) acres]. No new acreage is affected by this transfer.

The operation is located (no.) miles (direction) of (community name) in (name) county. The operation is approximately (no.) miles (direction) from (road) junction with (road) and located (no.) miles (direction) of (nearest stream or landmark). The operation is located on the (name) U.S.G.S. 7 1/2 minute quadrangle map at latitude (degrees-minutes-seconds), and longitude (degrees-minutes-seconds).

The application has been filed for public inspection at the Department for Surface Mining Reclamation and Enforcement, (name) Regional Office, (mailing address). Written comments, objections, or requests for a permit conference must be filed with the Director of the Division of Permits, 6th Floor, Capital Plaza Tower, Frankfort, Kentucky 40601. All comments, objections, or requests for a permit conference must be received within fifteen (15) days of today's date.

Two-Acre-or-Less Applications and Revisions to Expired Interim Permits

Since the public commenting procedures for Two-Acre-or-Less applications and revisions to expired interim permits are governed by the interim program regulations, a slight modification to the Notice of Intention to Mine examples presented in RAM #50 is needed.

RAM #83

Page 2

October 31, 1985

For these applications, the term "permit conference" in the second sentence of the last paragraph must be deleted and the term "Formal hearing" used in its place. The reason for this modification is that permit conferences are only available for permanent program applications. Interim program applications must use the formal hearing procedures outlined in 405 KAR 1:020, Section 7, and are only required to advertise once.

All applicants must submit the required proof of publication of the Notice of Intention to Mine to the Department within 15 days of the final advertisement. Two-Acre-or-Less applicants should submit such documentation directly to the Division of Permits in Frankfort, all other applicants should submit it to the appropriate regional office. Failure to follow these requirements may result in the delay of permit issuance.

If you have any questions on the above, please contact Jim Wade at (502) 564-2320.

8767S