

Reclamation Advisory Memorandum RAM # 122

Kentucky Natural Resources and Environmental Protection Cabinet Department for Surface Mining Reclamation and Enforcement

From: Carl Campbell, Commissioner

Date: August 28, 1996

Subject: Ownership and Control Annual Entity Files

In February 1994, the Department for Surface Mining Reclamation and Enforcement (DSMRE) distributed Reclamation Advisory Memorandum (RAM) #112, which established a procedure that offered the industry an option of establishing a "centralized entity reference file" with DSMRE. This procedure has worked well and will continue to be an option available to the industry.

However, in an effort to further reduce paperwork and reporting requirements without jeopardizing the quality of ownership and control information, permittees with approved entity files will only be required to submit a complete MPA-01 once a year and not, as required in RAM #112, after every update or change in their ownership and control information. What DSMRE is proposing is a procedure whereby an applicant/permittee may establish an entity file and, over the following twelve (12) months, provide only the necessary updates and changes for ownership and control information.

The twelve (12) month period will begin upon approval of a complete MPA-01 entity file. It will be the responsibility of the permittee to ensure that the entity file referenced in an application is no older than twelve (12) months. If, at any time prior to the approval of the MPA-01 /MPA-02 portion of an application, the Ownership and Control Review Branch determines that the entity file is older than twelve (12) months, the applicant will be required to submit a new entity file for approval.

This RAM does not change the other requirements noted in RAM #112. The applicant/permittee shall continue:

- to provide updated ownership and control information within thirty (30) days of the effective date of a change, as set out in 405 KAR 8:030 Section 2(12) or 405 KAR 8:040 Section 2(12) (use MPA-06 or MPA-05);

- to submit those items and pages necessary for identification of permit specific data;

Permit Specific Items - MPA-01

Item 1.1

Item 1.2

Item 1.4

Item 1.11

Item 1.17 through Item 1.24

Affidavit

- and, to provide Mine Safety and Health Administration (MSHA) and Kentucky Division of Mines and Minerals information.

DSMRE's review of an application using the annual entity reference file will not differ in substance from its review of any other application. The Ownership and Control Review Branch must conduct a full review of both the annual submission and all updates to ensure the application is current and accurate.

If you have any questions on this new option, you may contact Mary Belle Fisher or Jim Adamson in the Division of Permits. Tel. (502)564-2320

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