



Reclamation Advisory Memorandum

From: Carl E. Campbell, Commissioner *C.E.C.*
Date: August 18, 2010
Subject: Mining Permit Applications: Revisions and
Electronic Submittal

RAM # 147

Introduction

RAM 147 is issued to provide notice of two changes to the permitting program for surface coal mining applications in Kentucky.

History

Kentucky's SMCRA Permanent Program has been in place since 1982. The permitting forms currently in use, the MPA-00, MPA-01, MPA-02, MPA-03, MPA-04, MPA-05, MPA-06, MPA-07, MPA-08, MPA-09, MPA-10 and SME-80 were promulgated in 1991 and are incorporated by reference under 405 KAR 8:010 Section 5(c).

In late 2009, industry representatives and the Department (KDNR) began discussing ways to improve the permitting program. As a result of those discussions, a joint KDNR/industry working group was formed. The working group determined that the existing SMCRA permitting forms needed to be updated to organize required information in a more logical way and to prompt submission of information required by recent technical initiatives such as the reforestation initiative and fill optimization protocol.

Revised forms were drafted by the KDNR/industry work group and submitted to the Legislative Research Commission per KRS Chapter 13A in July 2010.

Since the first electronic permit was submitted in November 1999, participation has steadily increased. Electronic applications comprise about 60% of current submittals. Shorter review time, cost savings and greater accessibility are some of the benefits realized by the state, industry and citizens of the Commonwealth.

Effect of this RAM on the Permitting Process

Once the Administrative Regulation is adopted, which is expected to be in September, 2010, new forms will be available for the MPA-00, MPA-01, MPA-02, MPA-03, MPA-05, MPA-06, MPA-07, MPA-08, MPA-09, MPA-10 and SME-80. The MPA-03 form was revised to make it

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suitable for submission of application revisions. **As of January 3, 2011, the MPA-04 form will no longer be accepted.**

As soon as the new forms are available, and through the end of 2010, applicants may choose to use the new forms for new submittals, or continue to use the old forms.

Pursuant to 405 KAR 8:010 Section 5(1)(b):

As of January 3, 2011, all newly submitted applications must be submitted on the 2010 forms. All applications submitted prior to January 3, 2011 may continue on the forms on which they were submitted.

As of January 3, 2011, all newly submitted applications must be submitted electronically. All paper applications submitted prior to January 3, 2011 may continue as paper applications through issuance.