

Permitting Overview



HB 443 and Permitting Requirements



Permitting Applications

- Original Applications and Adjacent Area Applications
 - Application Submittal – Regional Office
 - Application Manager (AM) Assignment
 - Completeness Review
 - Send to Technical Reviewer
 - Revision Letter to Applicant
 - Additional Technical Review (if required)
 - Approval
 - Issuance



Permitting Applications

- Incidental Boundary Revision (IBR)
 - IBR's Submitted to Regional Office
 - Workflow Similar to Original Applications

- Application to Revise a Permit (ARP)
 - Submitted to Columbus Office
 - Application Manager (AM) Disperses to Technical Reviewers
 - Revision Letter to Applicant
 - Approval
 - Issuance



Transfers and Permit Renewals

- Transfer/Permit Renewal for Coal or Industrial Mineral (IM) Permits
 - Submitted to Columbus Office
 - Assigned to Application Manager (AM)
 - AM Works with Operator on Completeness
 - Permits may be renewed for up to 5-years.
 - Renewals must be submitted 120-days prior to expiration
 - Operations ceased if permit expires

- Transfers: AM reviews “Ownership and Control” of both companies
- Ensure all information has been submitted and is correct



Surface and Underground Permits

- Active Surface Operations (includes Tipples/Prep Plants/Docks)
 - 143 Active Operations

- Inactive Surface Operations
 - 142 Inactive Operations

- Underground Operations
 - 14 Underground Operations (inactive and active)

- Note: Number of operations does not remain static



HB 443 Requirements -Permitting

- Performance Security (previously bond) – Can be Pool or Full Cost
 - ❖ Performance security pool (previously bond pool)
 - 135 permits in pool posted performance security at \$2500/acre
 - 14 cents/ton severance tax paid into pool (was 2 cents/ton)
 - Permittee may conduct operations anywhere on the permit (provided number of acres does not exceed number of acres provided by performance security)
 - Notification to Ohio Department of Taxation of obligation to pay severance tax
 - Applicant must have held a permit for not less than 5-years
 - DMRM has the authority to increase performance security to \$5000/acre (if applicant does not reclaim in contemporaneous manner)



HB 443 Requirements -Permitting

- Performance Security (previously bond)
- ❖ Performance security full cost (18 permits)
 - Once selected may not revert to pool
 - May divide the permit into Incremental Mining Units (IMU)
 - Cost of reclamation based on worse-case scenario for permit or IMU
 - Performance security may be posted for IMU (in lieu of the entire footprint of the permit)
 - Stand alone prep plants/tipples/refuse disposal areas not associated with an active permit required to post full cost performance security



HB 443 Requirements -Permitting

- Mine Plan Information
 - HB 443 requires much more detailed mine plan
 - ~~✗~~ *Removal of equipment*
 - ~~✗~~ *Sealing of mine opening*
 - ~~✗~~ *Backfilling and grading*
 - ~~✗~~ *Topsoil storage and distribution*
 - ~~✗~~ *Stream relocation/reconstruction*
 - ~~✗~~ *Wetland mitigation/removal sediment structures*
 - ~~✗~~ *Revegetation & maintenance/Prime farmland restoration*
 - ~~✗~~ *Equipment mobilization and de-mobilization*
 - ~~✗~~ *Toxic material handling/removal substations/fuel tanks, etc.)*
 - ~~✗~~ *Special clay liners, caps or other unique construction items*
 - ~~✗~~ *Any other “special” items contained in mining plan*



HB 443 Requirements -Permitting

- Cost of Reclamation (Engineer's Estimate)
 - DMRM required to determine cost of reclamation
 - Cost of reclamation based on worse-case scenario for permit or IMU
 - Required irrespective of method of performance security
 - Determines funding available to the State if the applicant were to forfeiture performance security
 - Cost of reclamation may be updated at any time, but shall be required for “significant” permitting actions
 - DMRM has developed cost of reclamation spreadsheet to calculate liability to the State