

# DIVISION OF MINE PERMITS

UK Professional Engineers in Mining  
2020

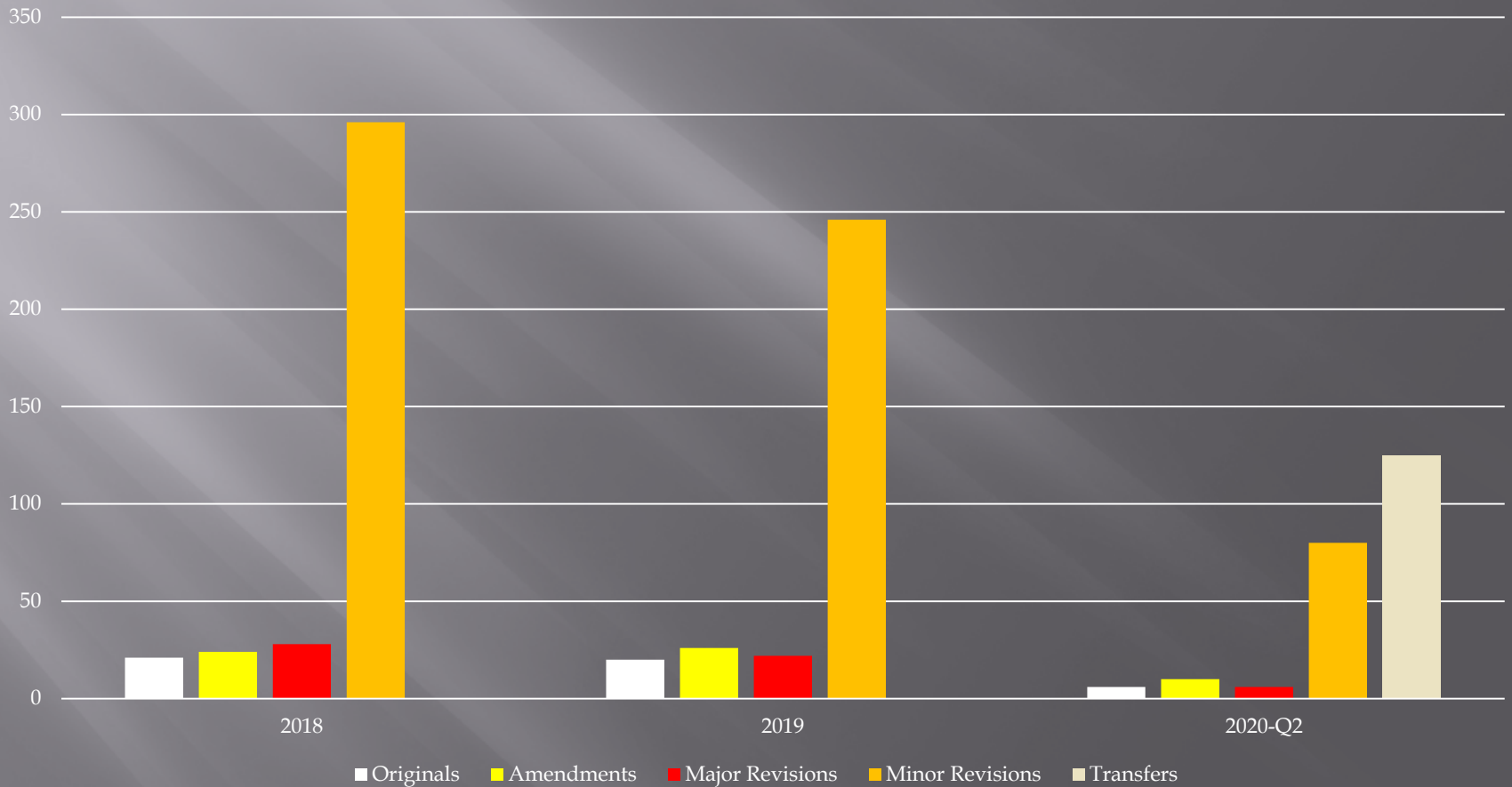


# DMP MISSION STATEMENT

The mission of the Division of Mine Permits is to protect human health and the environment from adverse effects of coal mining and reclamation operations. This is accomplished by evaluating mining and reclamation plans and issuing only those permits that meet the standards established under the federal Surface Mining Control and Reclamation Act (SMCRA) of 1977.

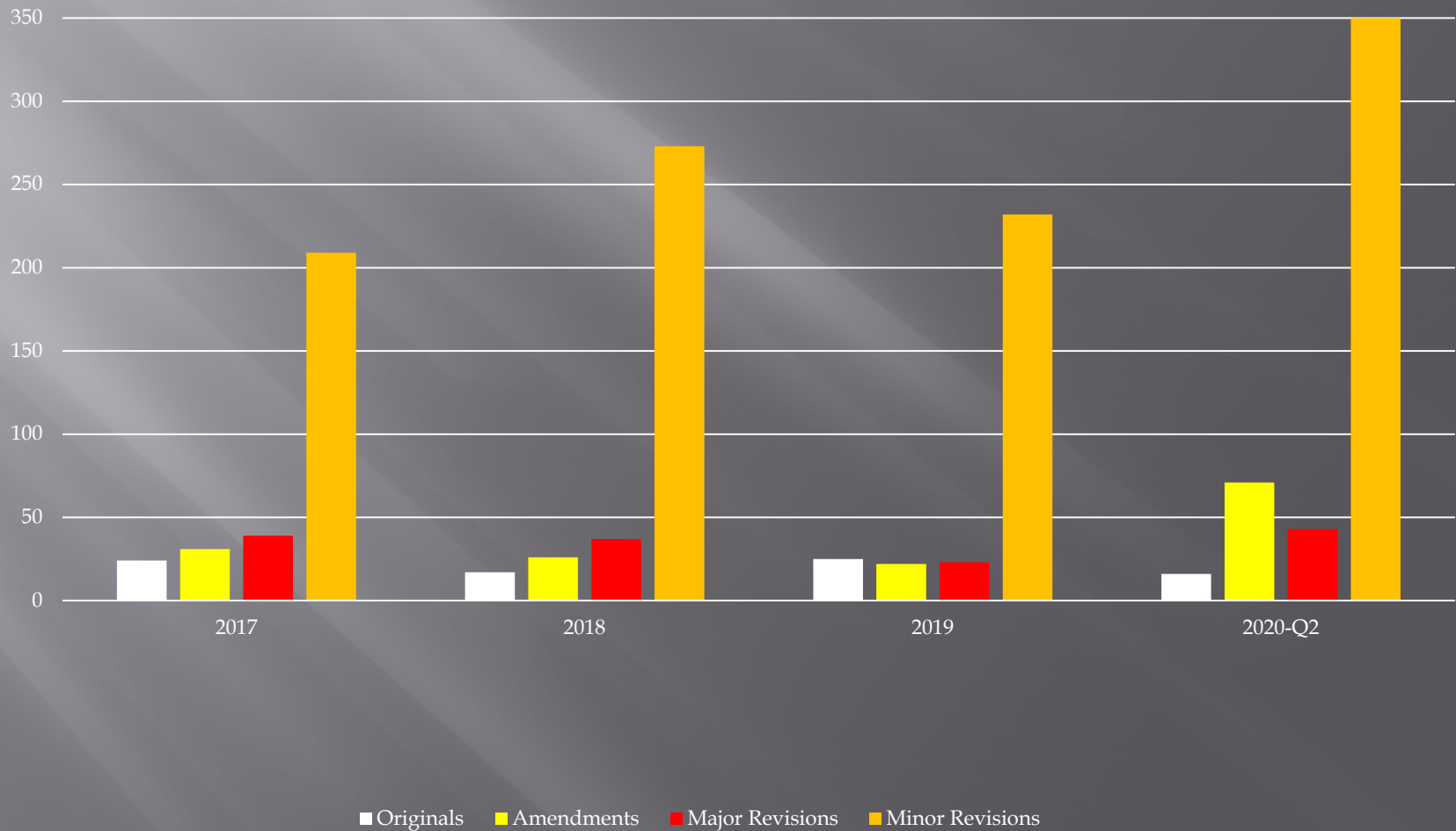
# Permitting Activity

## Applications Received



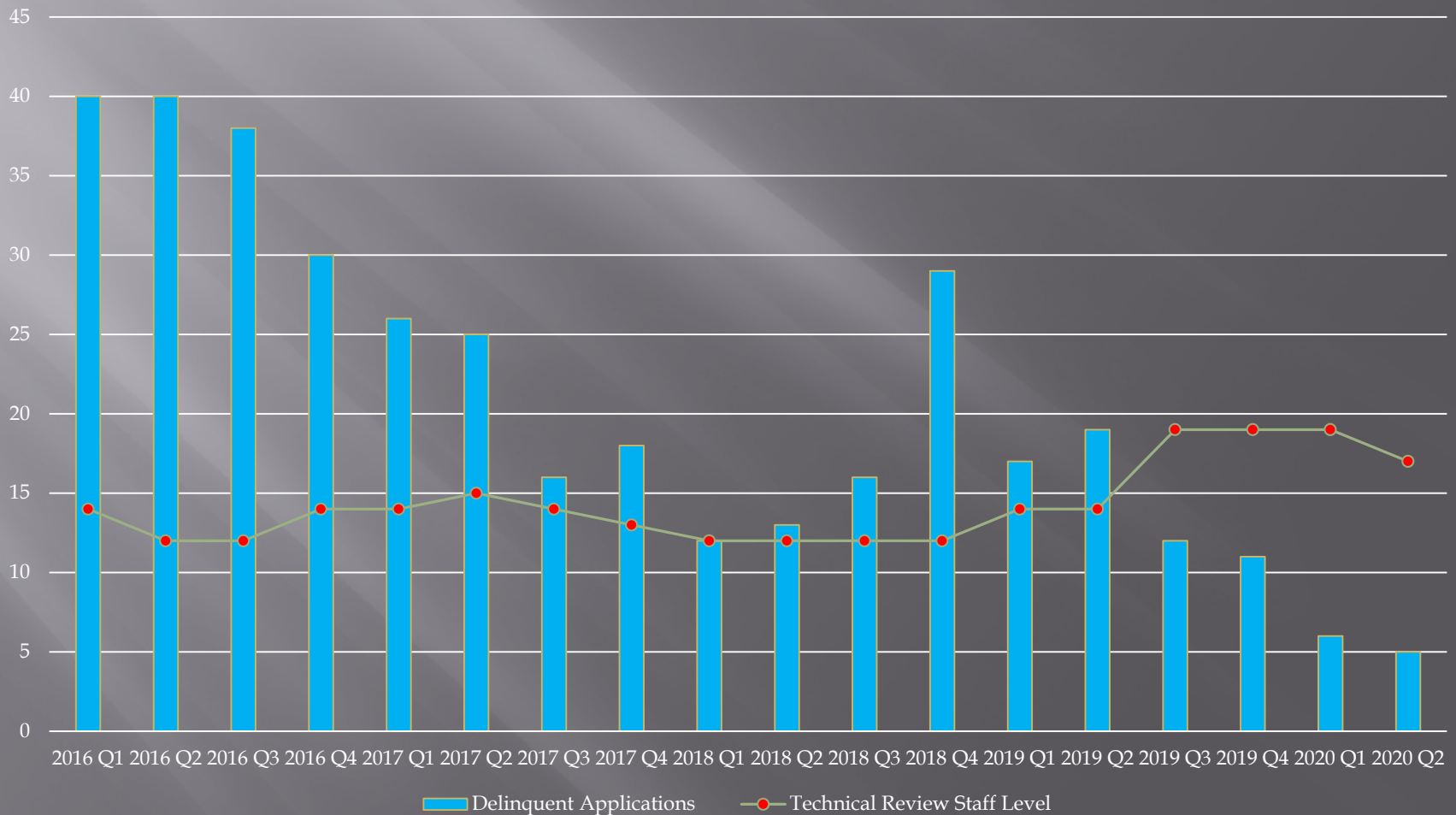
# Permitting Activity

## Permits Issued



# Permitting Activity

## Delinquent Applications



# COVID-19

- ▣ 90% of DMP employees are currently telecommuting.
- ▣ Business continues as usual, except no face to face meetings.
- ▣ Average delinquent rate is at a 5 year low.

# Statewide Coal Production 2017-2020 Q2

| <u>YEAR</u> | <u>REGION</u> | <u>NEW APP<br/>RECEIVED</u> | <u>PRODUCING<br/>PERMITS</u> | <u>SURFACE TONS</u> | <u>UNDERGROUND<br/>TONS</u> | <u>TOTAL REGION<br/>TONNAGE</u> | <u>YEAR TOTAL<br/>TONNAGE</u> |
|-------------|---------------|-----------------------------|------------------------------|---------------------|-----------------------------|---------------------------------|-------------------------------|
| 2017        | East          | 20                          | 162                          | 8,286,163.09        | 10,888,339.03               | 19,174,502.12                   |                               |
|             | West          | 1                           | 13                           | 2,118,626.02        | 21,492,653.85               | 23,611,279.87                   | 42,785,781.99                 |
| 2018        | East          | 26                          | 152                          | 8,341,194.44        | 9,509,227.97                | 17,850,422.41                   |                               |
|             | West          | 3                           | 15                           | 769,057.98          | 22,152,542.79               | 22,921,600.77                   | 40,772,023.18                 |
| 2019        | East          | 65                          | 140                          | 5,955,777.57        | 7,718,701.08                | 13,674,478.65                   |                               |
|             | West          | 11                          | 13                           | 607,724.43          | 21,039,338.10               | 21,647,062.53                   | 35,321,541.18                 |
| 2020        | East          | 38                          | 82                           | 1,924,921.38        | 2,224,634.09                | 4,149,555.47                    |                               |
|             | West          | 6                           | 7                            | 145,589.56          | 6,970,264.99                | 7,115,854.55                    | 11,265,410                    |

# DMP Initiatives

Over the past year DMP has been focused on technical review staff training:

## Internal Trainings:

- Internal roads v/s permitting of roads
- Map nomenclature and feature identification
- Rough grading (when is it allowable)
- Impractical and unreasonable Post Mining Lane Use (PMLU)
- Valid Existing Rights (VER) for roads
- Environmental Scientist boot camp (refresher & new hires)
- Long Term Treatment (LTT) bonding calculations and field verification
- Administrative Review requirements
- Map import procedures for file scanning

## External Trainings/OSMRE Training Sessions:

- AR States Grant Writing Workshop (PA)
- Long Term Treatment financial assurance (WV)



# DMP Initiatives

- ❑ DMP has made substantial progress in its efforts to digitize and index historical hardcopy SMCRA permit files.
- ❑ Project began in late 2018 and since that time over 1000 individual permits have been prepped, scanned, indexed, and imported into the KYDNR document management system.
- ❑ Individual permits are often several volumes and thousands of pages that require careful attention and knowledge of the KYDNR filing nomenclature.
- ❑ This project will take several years to complete.



# Long Term Treatment (LTT) Bonding

- ❑ January 2018 OSMRE approved KY's program amendment increasing reclamation bond amounts, but did **NOT** approve the regulations pertaining to LTT bond calculations.
- ❑ Under the new LTT bond regulations the 20 year multiplier changed to a 25 multiplier for annual costs, plus initial and subsequent capital costs.
- ❑ Combined annual costs ( $\times 25$ ) and capital costs are then modeled utilizing a reasonable rate of investment return, inflation, and trust related expenses to ensure that treatment can continue in perpetuity (75 years) should the bond forfeit.
- ❑ OSMRE is currently reviewing the LTT program amendments and DMP provided sample calculations to demonstrate the effectiveness of the calculation and economic model.

# Long Term Treatment (LTT) Bonding

## ▣ 405 KAR 10:015 Section 8

(7)(a) For permits that have been identified as requiring long-term treatment, the cabinet shall calculate an additional bond or other financial assurance instrument amount based on the estimated annual treatment cost, provided by the permittee and verified by the cabinet, multiplied by a factor of twenty-five (25) plus any capital costs of the treatment system.

(b) The long-term treatment cost estimate shall be subject to verification and acceptance by the cabinet. The department shall use its own estimate for annual treatment costs if the department cannot verify the accuracy of the permittee's estimate.

# NEW SMIS!

- ▣ SMIS is dead. Long live web SMIS!
- ▣ The new SMIS is currently being utilized throughout the Cabinet and industry.
- ▣ The new web version of SMIS is available at the following link:

<http://smis.ky.gov/smis.web/>

# NEW SMIS!

## Permits

Permit Search:

Search: JRL Search Clear

[Export to Excel](#)

| Permit #                | Entity Id              | Entity Name  | Type | Mine St... | Orig Issue ... | Permit Exp ... | Activity Issu... | Fed ... | Fed Permit # | Protests |
|-------------------------|------------------------|--------------|------|------------|----------------|----------------|------------------|---------|--------------|----------|
| <a href="#">8480410</a> | <a href="#">015697</a> | JRL COAL INC | SU   | AP         | 06/19/2020     | 06/03/2025     | 06/19/2020       | N       |              | 0        |
| <a href="#">8485589</a> | <a href="#">015697</a> | JRL COAL INC | NW   | ND         | 02/25/2020     | 02/25/2025     | 02/25/2020       | N       |              | 0        |
| <a href="#">8485615</a> | <a href="#">015697</a> | JRL COAL INC | MI   | AP         | 06/27/2018     | 01/31/2021     | 09/25/2019       | N       |              | 0        |
| <a href="#">8480383</a> | <a href="#">015697</a> | JRL COAL INC | MT   | A1         | 06/22/2018     | 06/22/2023     | 09/03/2020       | N       |              | 0        |
| <a href="#">8480378</a> | <a href="#">015697</a> | JRL COAL INC | MI   | A2         | 03/01/2018     | 02/06/2022     | 10/08/2019       | N       |              | 0        |

1 2 3 5 items per page 1 - 5 of 12 items

**General**

**Permit Number:** [8485589](#)  
**Issue Date:** 02/25/2020  
**Acres:** 1275  
**Original Acres:** 16.58  
**Land Slope %:**  
**Kpdes No:** KYGE41097  
**Mine Name:** MASON MINE #1  
**Primary Mine Type:** UNDERGROUND  
**Representative:** JOHN QUINTRELL

**Transfer From:**  
**Transfer To:**  
**Permit Fees:** 375  
**Current Acres:** 16.58  
**Fed:** N  
**Fed#:**  
**No. Incr.:** 1  
**Mine Status:** NO DISTURBANCES  
**ND Ext. Date:**  
**Scanned and Verified:**  
**Revoked:** NO  
**Forfeited:** NO  
**Comb. to Permit #:**

**Suspensions**

| Reason Description | Start Date | Date Lifted | Comments |
|--------------------|------------|-------------|----------|
|--------------------|------------|-------------|----------|

**Land Use**

| Pre-Mining Land Use: |             |         | Post-Mining Land Use: |             |         |
|----------------------|-------------|---------|-----------------------|-------------|---------|
| Code                 | Title       | Acerage | Code                  | Title       | Acerage |
| 40                   | FOREST LAND | 5.88    | 40                    | FOREST LAND | 16.58   |
| 30                   | MINED LANDS | 10.70   |                       |             |         |

**Variance Post-Mining Land Use:**

| Variance Type | Code | Title | Acerage |
|---------------|------|-------|---------|
|---------------|------|-------|---------|

**Mine Types:**

| Code | Title |
|------|-------|
|------|-------|

# NEW SMIS!

**Location**

County: HARLAN  
 Quad: EVARTS  
 Region: MIDDLESBORO  
 Watershed: CUMBERLAND RIVER (UPPER)

Longitude: 83 15 10  
 Latitude: 36 48 45  
 Nearest Stream: Right Fork of Turtle Creek  
 Nearest Intersection:  
 1.5 miles Norhteast from U.S. 421-KY 990  
 Nearest Community: Coalgood

**Combined Permit**

Combined From Permit #

**Indicators**

Underground Works: NO  
 Flood Project: NO  
 Park Land: NO  
 Aquifers Affected:  
 Land Use Change: NO  
 Reference Area: NO  
 Wetland Area: NO  
 Prime Farmland: NO  
 Acid Overburden: NO  
 Acid Strata:

Historical Area: NO  
 Federal Forest Adjacent: NO  
 Endangered Species: NO  
 Aquifer Users: NO  
 Acid Producing Cond.: NO  
 Reforestation Initiative (Ram 124):  
 Wetland Acres:  
 Prime Farmland Acres:  
 Acid Strata Ele.:  
 Indiana Bat Plan:

**Oper./B6/B3**

**Operators**

| Id | Name | Begin Date | End Date |
|----|------|------------|----------|
|    |      |            |          |

**B6 Controller**

| Id | Name | Begin Date | End Date |
|----|------|------------|----------|
|    |      |            |          |

**B3 Controller**

| Id | Name | Begin Date | End Date |
|----|------|------------|----------|
|    |      |            |          |

Referred: NO  
 Forfeited: NO  
 Comb. to Permit #:

| Variant Type | Code | Title | Average | Code | Title       |
|--------------|------|-------|---------|------|-------------|
|              | UG   |       |         |      | UNDERGROUND |

**Coal Destination**

**Coal Seams**

| Name             | Acres | Thick. | % Sulfur | MSHA# | State File# |
|------------------|-------|--------|----------|-------|-------------|
| MASON SEAM       |       | 40     | 1        | null  |             |
| LOWER MASON SEAM |       | 36     | 1        | null  |             |

**Transfer History**

| Transferred From | Transferred From Date | Transferred To | Transferred To Date | Company Name |
|------------------|-----------------------|----------------|---------------------|--------------|
|                  |                       |                |                     |              |

**Bond**

| Increment | Bond #               | Bond Type | Orig Amt    | Orig Acreage | Curr Amt    | Curr Acreage |
|-----------|----------------------|-----------|-------------|--------------|-------------|--------------|
| 1         | N-122019-848-5589-01 | SR        | \$87,000.00 | 16.58        | \$87,000.00 | 16.58        |

**Facility**

|                       |          |        |            |
|-----------------------|----------|--------|------------|
| <a href="#">SPOIL</a> | HF #1    | ACTIVE | 02/25/2020 |
| <a href="#">WATER</a> | 6        | ACTIVE | 02/25/2020 |
| <a href="#">WATER</a> | 1        | ACTIVE | 02/25/2020 |
| <a href="#">WATER</a> | DH1      | ACTIVE | 02/25/2020 |
| <a href="#">WATER</a> | SW-10    | ACTIVE | 02/25/2020 |
| <a href="#">WATER</a> | GW 08-01 | ACTIVE | 02/25/2020 |
| <a href="#">WATER</a> | G6       | ACTIVE | 02/25/2020 |
| <a href="#">WATER</a> | G44      | ACTIVE | 02/25/2020 |
| <a href="#">SILT</a>  | 6        | ACTIVE | 02/25/2020 |

**Variance Post-Mining Land Use:**

| Variant Type | Code | Title | Average |
|--------------|------|-------|---------|
|              |      |       |         |

**Mine Types:**

| Code | Title |
|------|-------|
|      |       |

# NEW SMIS!

Tech Track

| Status | Status Description  | Status Date | Remaining Days |
|--------|---|-------------|----------------|
| DIS    | PERMIT ISSUED   | 02/25/2020  | 0              |
| STA    | INFORMATION ACCEPTED                                      | 12/27/2019  | 0              |
| STI    | INFORMATION RECEIVED                                      | 12/27/2019  | 0              |
| 30D    | THIRTY (30) DAY LETTER                                    | 12/12/2019  | 0              |
| STO    | INFORMATION REQUESTED                                     | 08/06/2019  | 0              |
| TAC    | APPLICATION TECHNICALLY APPROVED                          | 08/05/2019  | 0              |
| TRC    | TECHNICAL REVIEW COMPLETED                                | 07/03/2019  | 0              |
| TRS    | APPLICATION RESUBMITTED AFTER BEING TEMPORARILY WITHDRAWN | 07/01/2019  | 0              |
| TWW    | APPLICATION TEMPORARILY WITHDRAWN                         | 06/25/2019  | 0              |
| TRS    | APPLICATION RESUBMITTED AFTER BEING TEMPORARILY WITHDRAWN | 06/06/2019  | 0              |
| TWW    | APPLICATION TEMPORARILY WITHDRAWN                         | 05/24/2019  | 0              |
| TRS    | APPLICATION RESUBMITTED AFTER BEING TEMPORARILY WITHDRAWN | 05/10/2019  | 2              |
| TWW    | APPLICATION TEMPORARILY WITHDRAWN                         | 11/17/2017  | 2              |
| TRS    | APPLICATION RESUBMITTED AFTER BEING TEMPORARILY WITHDRAWN | 10/10/2017  | 29             |
| TWW    | APPLICATION TEMPORARILY WITHDRAWN                         | 08/14/2017  | 29             |
| AAA    | APPLICATION ADMINISTRATIVELY ACCEPTED                     | 06/22/2017  | 65             |
| ASC    | ADMINISTRATIVELY CORRECTED APPLICATION RESUBMITTED        | 06/14/2017  | 10             |
| ACR    | ADMINISTRATIVE REVIEW CORRECTIONS REQUESTED               | 04/25/2017  | 1              |
| POS    | ON-SITE SURVEY CONDUCTED                                  | 04/19/2017  | 5              |
| ASN    | APPLICATION ASSIGNED TO ADMINSTRATIVE REVIEWER            | 04/13/2017  | 9              |
| AOR    | APPLICATION ACCEPTED IN FRANKFORT                         | 04/12/2017  | 10             |
| ARF    | ORIGINAL APPL RECEIVED IN FRANKFORT                       | 04/06/2017  | 10             |
| POS    | ON-SITE SURVEY CONDUCTED                                  | 03/22/2017  | 0              |
| PAA    | PRELIMINARY APPLICATION ASSIGNED                          | 03/07/2017  | 0              |
| PAF    | PRELIMINARY APPLICATION RECEIVED IN FRANKFORT             | 03/06/2017  | 0              |

# NEW DocTree!

- ▣ In late 2019 the Cabinet rolled out a web-based version of DocTree.
- ▣ The new DocTree is currently being utilized throughout the Cabinet and an outward facing public version is in the works.
- ▣ In the future, DMP will be eliminating Microsoft access forms and replaced by web based forms. DocTree will be an outward facing version for live public access.



Search Files

## Get files from Share Point

Department :

DSMRE

Document Class :

PERMITS

Permit ID :

898-0573

Search

Tree will be displayed below:

675 Documents found

- ▶ NW
- ▶ MI-1
- ▶ AM-1
- ▶ AM-2
- ▶ MA-02
- ▶ PERMIT FACES
- ▶ MT-1
- ▶ AM-03
- ▶ MI-03
- ▶ MI-04
- ▶ RN-01
- ▶ CMD-01
- ▶ MT-02
- ▶ AM-04
- ▶ HEARINGS

# DMP Staffing

- ❑ DMP has had several staffing changes over the past year.
- ❑ Gary Gilliam retired after 20+ years as an Environmental Engineering Consultant.
- ❑ Paul Sainato has taken over his duties of reviewing slurry related applications and coal waste impoundments.
- ❑ Martie Riddle, Bonding has retired; the new agency contact person for bonding is Lainey Hamon, email: [Lainey.Hamon@ky.gov](mailto:Lainey.Hamon@ky.gov) .

# Bankrupt Entities

- ▣ Revelation/Blackjewel
- ▣ Cambrian
- ▣ Murray Energy
- ▣ Rhino Energy/CAM
- ▣ Ember Energy
- ▣ Hartshorne
- ▣ Corbin Mining