

DIVISION OF MINE PERMITS

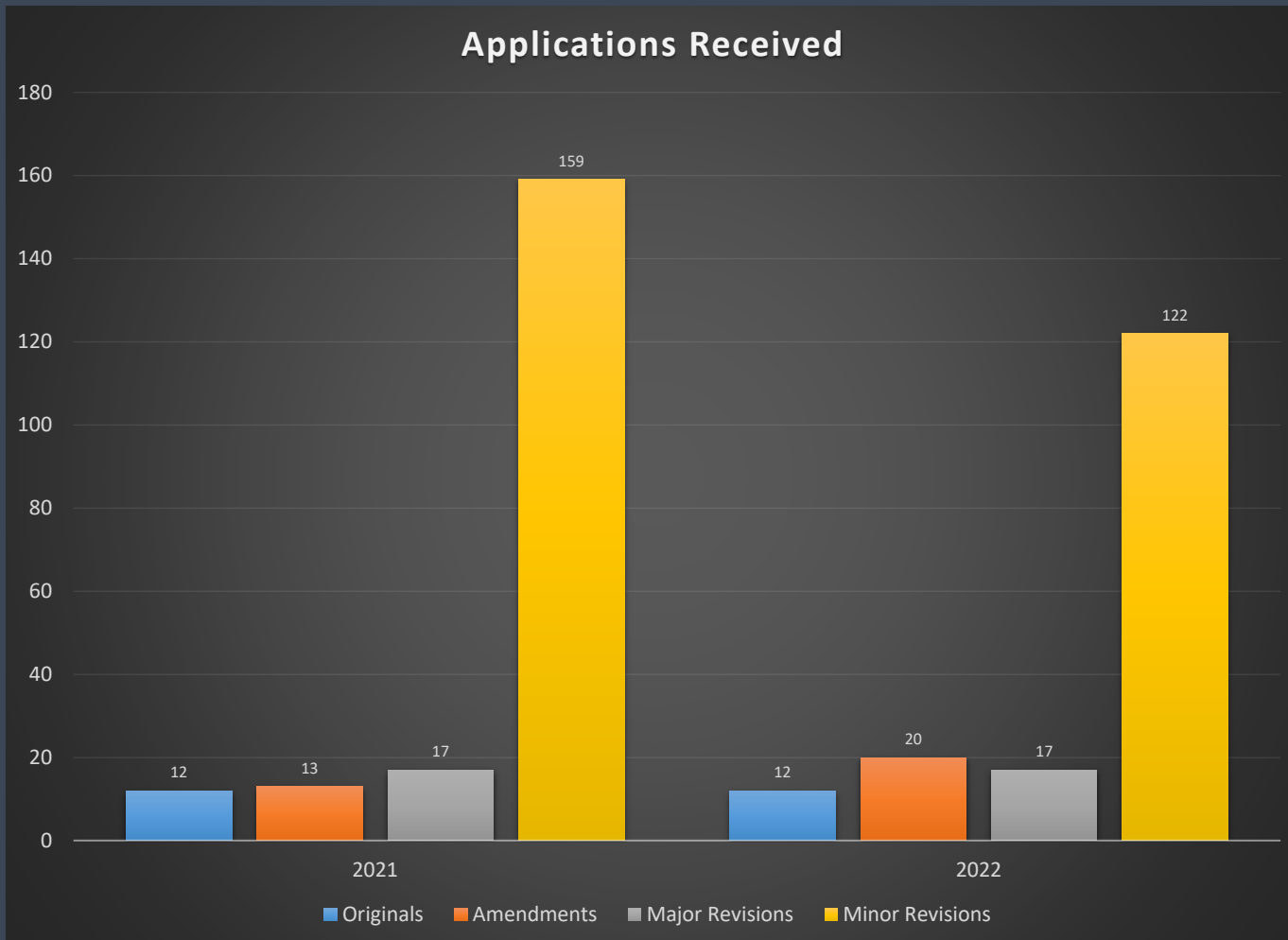
Kentucky Professional Engineers in Mining Seminar
2022



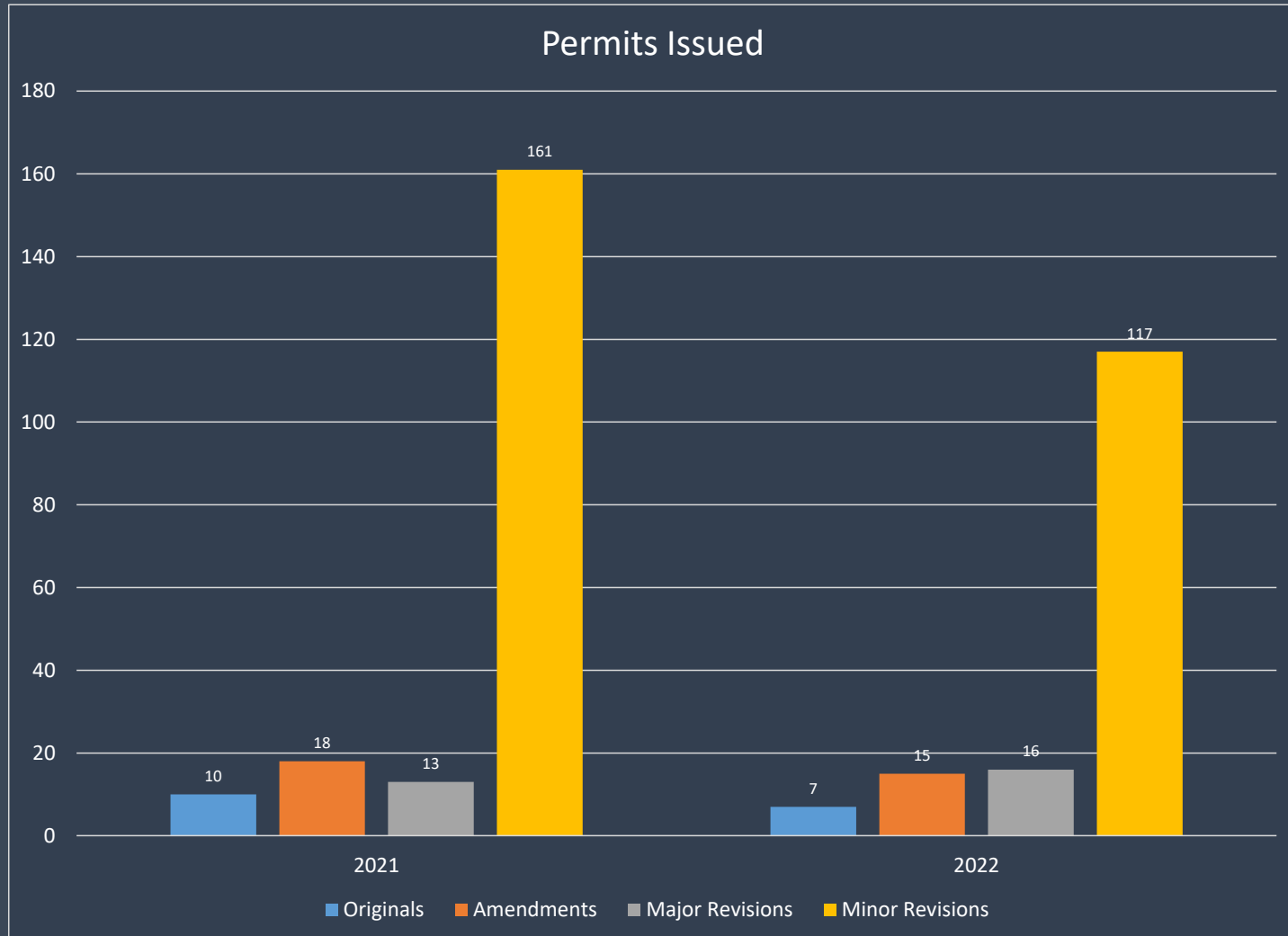
DMP MISSION STATEMENT

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 – Fiscal Year



Permitting Activity – Fiscal Year



Statewide Coal Production Fiscal Year 2020-2022

<u>FISCAL</u> <u>YEAR</u>	<u>REGION</u>	<u>PRODUCING</u> <u>PERMITS</u>	<u>SURFACE TONS</u>	<u>UNDERGROUND</u> <u>TONS</u>	<u>TOTAL REGION</u> <u>TONNAGE</u>	<u>YEAR TOTAL</u> <u>TONNAGE</u>
2020	East	53	5,002,648	4,951,115	9,953,763	
	West	4	374,641	17,388,966	17,763,607	27,717,370
2021	East	58	4,332,255	4,645,916	8,978,171	
	West	4	289,175	16,572,375	16,861,550	25,839,721
2022	East	75	5,360,824	5,865,503	11,226,327	
	West	3	102,104	16,153,909	16,256,013	27,482,340

DMP Initiatives

- In May 2022, OSM approved the LTT program amendment modifying the method to calculate LTT bonds. RAM 169 was issued outlining the procedures that DMP would use to implement this amendment. So far, DMP has initiated 120 special midterm reviews to begin adjusting the LTT bonds and more will be initiated in the near future.
- DMP is now conducting monthly permit reviewer and engineering round tables to enhance staff knowledge and performance and promote consistency.
- DMP's workflow process is being upgraded since the existing Tibco software is no longer supported. The upgrade should be completed by the end of January, 2023.
- DMP is upgrading mine permit applications from Microsoft Access to web based e-forms. E-forms will relieve permittees from the need to download a legacy version of Microsoft Access, make changes to the computer configuration or upload files to the FTP site. The only requirement to utilize the mine permit application e-forms is an internet connection, a web-browser, and an account created through the Commonwealth Office of Technology (COT) website. We are currently in development and testing on various forms, The target date for implementation of new forms is June, 2023.

Permit Renewals

- Our policy is that a company submitting an application for renewal 120 days before the permit expires can continue to operate until a decision has been made on the renewal. Renewals submitted less than 120 days prior to expiration, but not issued prior to expiration must shut down until the renewal is issued. Once a permit expires, we will not accept a renewal. In this situation for continued operations, the permit would need to be overlapped with a new permit.
- Our policy on allowing permittees to continue to operate on an expired permit if it has been submitted 120 days prior to expiration has been challenged by OSM for one particular permit. OSM wrote a federal imminent danger cessation order. That cessation order was challenged by the company in the DOI hearing process. The company won the hearing but OSM has appealed the decision.

DMP Staffing

- Currently DMP has a staff of 40 including 3 part time employees. We currently have one vacancy in the Ownership and Review Section and we have made a recommendation for a candidate to fill the vacancy.
- DMP now has six professional engineers including myself and two non-licensed engineering staff.

Questions?

Wesley Jones

Wes.Jones@ky.gov

Phone 502-782-6674

Cell 502-514-7242