

MARYLAND DEPARTMENT OF THE ENVIRONMENT

Land Management Administration • Bureau of Mines
160 South Water Street • Frostburg, Maryland 21532
301-689-1440 • 800-633-6101 • www.mde.maryland.gov

Short Application for Amendment of Mining Permit

Permit Application No.: _____ Date: _____

1) Name of Applicant or Company: _____

2) Address: _____

City: _____ State: _____ Zip: _____

Telephone Number: _____

3) Acreage:

Mining Operation Area	Drainage Control Facilities	Haulroad	Total	Open Acre Limit
Existing _____ Acres	+ _____ Acres	+ _____ Acres	= _____ Acres	_____ Acres
Requesting _____ Acres	+ _____ Acres	+ _____ Acres	= _____ Acres	_____ Acres
Total _____ Acres	+ _____ Acres	+ _____ Acres	= _____ Acres	_____ Acres

4) List the names and addresses of every legal or equitable owner of record of the surface property (surface land) proposed to be affected under this amendment.

Name	Address

5) List the names and addresses of every legal or equitable owner of record of the mineral(s) proposed to be affected under this amendment.

Name	Address

Permit Application No.: _____

- 6) List the names and addresses of all holders of any leasehold interest for each property to be affected under this amendment. Identify as surface or mineral interest and indicate whether lease is recorded.

Name	Address

- 7) List any purchaser of record under a real estate contract for the property to be affected under this amendment.

Name	Address

- 8) List all lands, interests in lands, options or pending bids on interests held or made by the applicant for lands that are contiguous to the area to be covered by this amendment.

- 9) List the names and addresses of the owners of record of all surface areas contiguous to any part of this amendment.

Name	Address

- 10) List the names and addresses of the owners of record of all mineral rights contiguous to any part of this amendment.

Name	Address

- 11) a) Describe the documents upon which the applicant bases his legal right to enter and begin surface mining activities on the area proposed to be affected under this amendment and whether that right is the subject of pending litigation. Identify those documents by type and date of execution, identify the specific lands to which the documents pertain, and explain the legal rights claimed by the applicant.

Permit Application No.: _____

- b) Are the rights claimed in the documents the subject of any pending litigations?
☐ YES ☐ NO

If YES, identify nature and current status of proceeding:

- 12) Has the private mineral estate to be mined been severed from the private surface estate?
☐ YES ☐ NO

- 13) For each surface property within the amendment area, provide the following:

- a) A copy of the written consent of the surface owner for extraction of coal by surface mining methods;
- b) A copy of the document of conveyance that expressly grants or reserves the right to extract coal by surface mining methods; or
- c) Documentation that under State law the applicant has the legal authority to extract the coal by surface mining methods.

LAND UNSUITABLE AND VARIANCES

- | | <u>YES</u> | <u>NO</u> |
|---|--------------------------|--------------------------|
| 14) Are any proposed areas to be affected under this amendment: | | |
| a) Within the boundaries of the Youghiogheny River Scenic Corridor? | ☐ | ☐ |
| b) Within 300 feet of occupied dwelling(s)? | ☐ | ☐ |
| c) Within 100 feet of the right of way of a public road(s)? | ☐ | ☐ |
| d) Within an area designated unsuitable for surface mining operations? | ☐ | ☐ |
| e) Within 25 feet, or a distance of 2 feet for each vertical foot of a highwall, of any adjacent property line? | ☐ | ☐ |
| f) Within 300 feet of a public building, school, church, community or institutional building, or public park? | ☐ | ☐ |
| g) Within 100 feet of a cemetery? | ☐ | ☐ |
| h) Within 100 feet of an intermittent or perennial stream? | ☐ | ☐ |
| i) Within 500 feet of an abandoned or active underground mine? | ☐ | ☐ |

If YES, attach information supporting the applicant's right to conduct surface mining operations within the indicated area(s).

ENVIRONMENTAL

15)

Within or adjacent to the area covered by this amendment, are there any of the following resources?

YES NO

a) Cultural or historical resources listed on the National Register of Historical Places?

☐ ☐

b) Known archeological features?

☐ ☐

Attach copies of correspondence from the Maryland Historical Trust and Maryland Geological Survey as support information.

If YES, identify the resources and describe the measures to be taken to minimize or prevent potential adverse impacts.

16) On the table below, indicate the existing land use or historic land use (if the land use has changed within the last five years), and the proposed post-mining land use category of the area covered by this amendment. (Refer to Bureau's Regulation 26.20.02.09B(8) for definitions of land use categories).

<u>Land Use Categories</u>	<u>Existing</u>	<u>Historic</u>	<u>Post-Mining</u>
Cropland	☐	☐	☐
Pastureland	☐	☐	☐
Forestry	☐	☐	☐
Fish and Wildlife Habitat	☐	☐	☐
Undeveloped Land	☐	☐	☐
Other (Specify)	☐	☐	☐

GEOLOGIC AND HYDROLOGIC INFORMATION

17) Does this amendment proposed a disturbance for the purpose of additional coal removal?
☐ YES ☐ NO

If YES, provide: (a) an overburden analysis, including the results of chemical analysis and a Statement of Findings regarding the chemical analysis, for the amendment area, or (b) a justification and supporting documentation for the Bureau to waive all or part(s) of the overburden analysis requirement.

Permit Application No.: _____

- 18) Do any aquifers or water bearing strata occur in the strata to be disturbed by this amendment?
☐ YES ☐ NO

If YES, describe the aquifer(s) or water bearing strata with regard to depth below the surface, horizontal extent, lithology, thickness, known uses, quality, quantity, and any problems that have resulted from the current mining operations:

- 19) Is this amendment within the same watershed as the existing permit?
☐ YES ☐ NO

If NO, describe the watershed in sufficient detail to identify the seasonal variation in water quality and quantity; the location of all surface water bodies, such as streams, lakes, ponds, and springs; any discharge into or withdrawal from the surface water system; and the name of the watershed which will receive discharges from the amendment, if different than the described.

- 20) Is it possible that this amendment will have any impact on a water supply?
☐ YES ☐ NO

If YES, identify the supply, the possible impact, and provide a plan for mitigating any anticipated impact(s).

- 21) Is it anticipated that this amendment will add to or change any of the predicted hydrologic consequences of mining indicated by the existing permit?
☐ YES ☐ NO

If YES, describe the anticipated changes to the prediction any any measures to be used to mitigate adverse changes.

MINING AND RECLAMATION

- 22) Will the method utilized for site preparation (including the procedure for clearing and grubbing and disposal of trees, brush, structures and debris) be the same as the method approved by the Bureau for the existing permit?
☐ YES ☐ NO If NO, describe the site preparation method to be utilized.

- 23) Will this amendment involve any road(s), conveyor(s), or rail system(s) to be constructed, used, or maintained?
☐ YES ☐ NO If YES, provide a detailed description of each, including:

Permit Application No.: _____

- a) A scaled profile that indicates:
 - 1. Final construction grades, cuts and fills,
 - 2. Road ditch grade if it differs from the road surface grade,
 - 3. The total ditch depth,
 - 4. The ditch lining (i.e., riprap, grass, bare earth), and
 - 5. The location and size of culverts, head required and available;
 - b) A scaled typical cross-section (at a culvert location, if applicable) that includes:
 - 1. The roadside ditch;
 - 2. Cut and fill slopes in horizontal to vertical measurements,
 - 3. The protection used to avoid erosion of cut and fill slopes,
 - 4. The cross-sectional slope of the road and culvert,
 - 5. Culvert entrance and outlet and the protective measures used for each, and
 - 6. Road base and surface material and surface width;
 - c) A method and procedure for seeding areas disturbed during the construction of the road, conveyor, or rail system;
 - d) The location and method of stockpiling and protecting the topsoil removed from the construction area;
 - e) A method for fugitive dust control;
 - f) Bridge design specifications, if applicable;
 - g) A report of appropriate geotechnical analysis where approval from the Bureau is required for alternative specifications or steep cut slopes; and
 - h) A description of measures to be taken for alteration or relocation of a natural drainway, if applicable.
- 24) Will the area covered by this amendment include any of the following:
- a) Coal removal, handling, storage, cleaning, or transportation areas or structure?
☐ YES ☐ NO
 - b) Spoil, coal processing waste, mine development waste and non-coal waste removal, handling, storage, transportation, or disposal areas or structures?
☐ YES ☐ NO
 - c) Mine facilities, i.e., shop areas, etc.?
☐ YES ☐ NO

If YES, provide a description explaining the construction, modification, use, maintenance, and removal (unless retention is necessary for post-mining land use) of the areas or structures.

Permit Application No.: _____

25) Topsoil Handling Plan

Will the Topsoil Handling Plan (including the minimum depth of topsoil to be removed and stockpiled; the location(s) where topsoil will be stored; the methods to identify topsoil stockpile(s); and the plan for topsoil removal, storage, protection from erosion, and redistribution) be the same as the plan approved by the Bureau for the existing permit?

☐ YES ☐ NO

If NO:

- a) Indicate the minimum depth of topsoil to be removed and stockpiled prior to surface mining operations: _____ inches
- b) Indicate the location(s) where topsoil will be stored during surface mining operations:
 - ☐ Above the active highwall
 - ☐ On the backfill area
 - ☐ On areas designed on the Mining Plan Map
 - ☐ Other (Explain) _____
- c) Describe the plan for the removal, storage, and protection from erosion, including the method used to identify topsoil stockpiles.

- 26) Will selected overburden materials be substituted for, or used as a supplement to, topsoil?
☐ YES ☐ NO

If YES, describe the materials including an analysis; identify their stratigraphic location; and explain how the material will be segregated, stockpiled, protected, and placed on the backfilled area in place of, or in conjunction with, topsoil.

- 27) Describe the proposed method of operation and show on a separate sheet at the same scale as the Mining Plan Map, a plan for the method of operation indicating the extent and sequences of cuts.
- 28) Will the measures to be used to dispose of debris, acid-forming and toxic-forming materials, and materials constituting a fire hazard, including contingency plans which have been developed to preclude sustained combustion of these materials, be the same as the measures approved by the Bureau for the existing permit?
☐ YES ☐ NO
- 29) Will the proposed mining operation incorporate the use of an excess spoil disposal site?
☐ YES ☐ NO

If YES, submit drawings, maps, and narratives necessary to meet the requirements of COMAR 26.20.02.13 and 26.20.26.

Permit Application No.: _____

30) a) Do you plan to conduct blasting operations on this amendment area?

☐ YES ☐ NO

b) If YES, will the blasting plan (including types of explosives to be used, procedures for recording and retaining information, blasting warning, site access control, blast monitoring equipment and procedures) be the same as the blasting plan approved by the Bureau for the existing permit?

☐ YES ☐ NO

c) If you answered NO to 30(b), submit a blasting plan that describes:

1. Explosives to be used;
2. Procedures for recording and retaining information, including a sample copy of the blasting log to be used, and the location where they will be retained;
3. Blasting warning and site access control equipment and procedures;
4. Types, capabilities, sensitivities, and locations of use of any blast monitoring equipment and procedures proposed to be used;
5. Plans for accomplishing and reporting to the Bureau the results of pre-blasting surveys, if required; and
6. Unavoidable hazardous conditions for which deviations from the blast schedule will be needed.

31) Provide a list of names and addresses of all property owners, or owners of structures, within one-half mile of the area covered by this amendment that are not listed in the existing permit. The list shall identify:

- a) Those property owners within 1,000 feet of the area covered by this amendment who were not previously within 1,000 feet of the permit area;
- b) Those property owners who own dwellings or structures within 1,000 feet of the area covered by this amendment who were not previously within 1,000 feet of the permit area (indicate dwelling or type of structure on list); and
- c) Those persons who own wells and springs within 1,000 feet of the area covered by this amendment who were not previously within 1,000 feet of the permit area (indicate well and/or spring on the list).

32) Will this amendment include sedimentation ponds, coal processing waste banks, dams, embankments, or other drainage control structures not already approved by the Bureau?

☐ YES ☐ NO

Permit Application No.: _____

If YES, indicate below the type and number of structures included in the proposed amendment.

- ☐ Sedimentation Ponds _____ ☐ Embankments _____
- ☐ Coal Processing Waste Banks _____ ☐ Dams _____
- ☐ Others, Specify _____

33) For each structure identified in 32), provide detailed design plan(s) which include:

- a) Scaled cross-sections and profiles that show the embankment, principal spillway, emergency spillway, and entrance channel, including at a minimum:
 1. Cut and fill slopes,
 2. Design flow and total depths, and
 3. Elevations;
- b) A scaled plan view of each structure showing at a minimum:
 1. A benchmark location and elevation, and
 2. Site topography at five foot control intervals;
- c) Hydrologic and geologic information required to assess the hydrologic impact of each structure;
- d) Design and construction requirements for each structure, including a geotechnical investigation, if applicable;
- e) A description of the operation and maintenance requirements for each structure;
- f) A description of the timetable and plans to remove each structure, if appropriate;
- g) Design calculations (e.g. storage volume, runoff computations);
- h) If applicable, the information necessary to meet the requirements in COMAR 26.20.02.13 and 26.20.27 for coal processing waste dams and embankments;
- i) If applicable, a description of the potential effect on the structures from subsidence of the subsurface strata resulting from past underground mining operations; and
- j) The certification of a Professional Engineer registered in the State of Maryland who prepared or directed the preparation of the design plan.

Permit Application No.: _____

- 34) Are there any water impoundments or coal processing waste dams proposed in excess of 15 feet in height as measured from the upstream toe of the embankment to the crest of the emergency spillway, or with a storage volume in excess of 20 acre feet?

If YES, submit the information required for each structure as described in COMAR 26.20.02.13 and 26.20.21.

- 35) Are any of the structure(s), identified in Item 32., proposed for retention as permanent impoundment(s)?
☐ YES ☐ NO

If YES, attach a narrative(s) and plan(s) that demonstrates the structure(s) will meet the requirements of COMAR 26.20.21.

- 36) Are there any existing structures to be used for this amendment that have not already been approved by the Bureau?
☐ YES ☐ NO

If YES, include a plan for the existing structure(s) that meets the requirements of COMAR 26.20.17.

- 37) Will this amendment require diversion(s) or stream channel diversion(s) not already approved by the Bureau?
☐ YES ☐ NO

If YES, submit a plan, including profiles and cross-sections, for the construction, modification, maintenance and removal of each diversion and stream channel diversion in accordance with the requirements of COMAR 26.20.21. The cross-sections and profiles should show, at a minimum, fill and cut slopes, total and flow depth, and channel protection.

- 38) Will the plan for treatment of surface and ground water drainage from the amendment area be the same as the treatment plan approved by the Bureau for the existing permit?
☐ YES ☐ NO If NO, submit a plan for treatment.

- 39) Will the plan for backfilling, soil stabilization, compaction, grading, and controlling surface drainage following regrading be the same as the plan approved by the Bureau for the existing permit?
☐ YES ☐ NO If NO, describe the plan for:

- a) Backfilling;
- b) Soil Stabilization;
- c) Compaction;
- d) Grading;
- e) Redistributing topsoil; and
- f) Controlling surface drainage following regrading.

Permit Application No.: _____

- 40) Do contour map(s) or cross-section(s) included in the existing permit represent the existing slope and anticipated slope of the final backfilled surface for the area covered by this amendment?

☐ YES ☐ NO

If YES, reference the contour map(s) or cross-section(s) in the existing permit.

If NO, submit contour maps or cross-sections that indicate the existing slope and anticipated slope of the final backfilled surface.

- 41) Will rough backfilling and grading:

- a) Follow coal removal by not more than 1,500 linear feet?

☐ YES ☐ NO

- b) Follow coal removal by not more than three spoil ridges: YES NO

☐ YES ☐ NO

If you answered NO, to 41a) or b), submit a detailed written explanation why a variation is necessary.

- 42) Submit a revegetation plan for each proposed postmining land use and landowner. The revegetation plan(s) shall identify:

- a) A method of soil testing;
- b) Application rate (tons per acre) of lime;
- c) Analysis and application rate of fertilizer;
- d) Species to be seeded and/or planted and rates/acre;
- e) Time of Seeding; and
- f) Proposed Method of Seeding (e.g. conventional, hydroseeder, helicopter).

- 43) Will mulch be used?

☐ YES ☐ NO

- a) If YES, describe type and rates/acre and method of anchoring.

- b) If NO, describe the alternative method to be used, including rates/acre.

- 44) Standards for Revegetation Success:

- a) Will the reference area method be used?

☐ YES ☐ NO

- b) If YES, submit detailed description.

- c) Will alternative revegetation success standards of the Bureau be used?

☐ YES ☐ NO

Permit Application No.: _____

45) a) Are there any exploration holes, other bore holes, wells, or other openings within the area of this amendment that will not be eliminated by the mining operation?

☐ YES ☐ NO

b) If YES, will they be plugged, cased, or managed in accordance with a plan or procedure approved by the Bureau in the existing permit?

☐ YES ☐ NO

c) If you answered YES to 45(a) and NO to 45(b), submit a description, including appropriate cross-sections and maps, of the measures to be used to plug, case, or manage exploration holes, other bore holes, wells, and other openings within the amendment area.

SIGNATURE OF APPLICANT OR AUTHORIZED AGENT

The undersigned, being first duly sworn, states that to the best of their knowledge all the information provided in this Short Application for Amendment of Mining Permit is true and correct. The undersigned further acknowledges that any information provided or omitted herein for the purpose of defrauding or misleading the Maryland Bureau of Mines may result in criminal charges being instituted pursuant to applicable state laws.

Applicant Company Name: _____

Name of Applicant or Agent Whose Signature Appears Below: _____

Title: _____ Telephone Number: _____

Signature of Applicant or Agent*: _____ Date: _____

Subscribed and sworn to before me by _____

The _____ Day of _____, 20_____

Notary Public: _____

My Commission Expires: _____ State in which Commissioned: _____

***NOTE:** If signer is other than president or secretary of a corporation, attach a notarized copy of power of attorney, or certified resolution which grants signer the legal authority to represent the applicant in this application. (Does not apply to a single proprietorship or partnership.) Such documents should include evidence the power was in effect on the date of the signing.

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