

APPLICATION

DEPARTMENT OF MINES
2915 N. CLASSEN BLVD, SUITE 215
OKLAHOMA CITY, OK 73106
405/427-3859

FOR OFFICIAL USE ONLY
Approval Date: _____
Permit No.: _____

OKLAHOMA APPLICATION FOR A SURFACE COAL MINING PERMIT

Part I. Legal, Financial, Compliance and Related Information

Date _____

Name of Company Mine Name of No.

Company Address: Street, RFD, or Box City State Zip Code

Note: ANSWER ALL QUESTIONS ON APPLICATION. (If no answer, write "NONE".)
PROPERLY IDENTIFY ANY ATTACHED EXHIBITS.

1. What is the requested term of permit period? (Not to exceed 5 years) _____

2. Total acres to be affected under this Permit: _____

3. Legal Description:

ACRES _____ QUARTER _____ SECTION _____ TOWNSHIP _____ RANGE _____ COUNTY _____

ACRES _____ QUARTER _____ SECTION _____ TOWNSHIP _____ RANGE _____ COUNTY _____

ACRES _____ QUARTER _____ SECTION _____ TOWNSHIP _____ RANGE _____ COUNTY _____

ACRES _____ QUARTER _____ SECTION _____ TOWNSHIP _____ RANGE _____ COUNTY _____

ACRES _____ QUARTER _____ SECTION _____ TOWNSHIP _____ RANGE _____ COUNTY _____

ACRES _____ QUARTER _____ SECTION _____ TOWNSHIP _____ RANGE _____ COUNTY _____

ACRES _____ QUARTER _____ SECTION _____ TOWNSHIP _____ RANGE _____ COUNTY _____

ACRES _____ QUARTER _____ SECTION _____ TOWNSHIP _____ RANGE _____ COUNTY _____

4. DESCRIPTION of land use for total area to be permitted:

(A) Acres in plant site: (mine office, parking, shops, etc.).... _____

(B) Acres in haul roads..... _____

(C) Acres in impoundments..... _____

(D) Acres in stockpile(s), (topsoil, subsoil, coal, etc.) used
for storage purposes and/or different from "A" above..... _____

(E) Additional acres to be affected (mining area, drainage
ditch, etc.)..... _____

(F) Acres in permit area to be unaffected....._____

(G) Add A, B, C, D, E and F for your TOTAL ACRES covered by THIS PERMIT and BOND.....
Show location of permit area and access roads on MP1.

IDENTIFICATION OF INTERESTS. In compliance with 460:20-23-2 / §778.13 of the Rules and Regulations for Surface Coal Mining and Reclamation, the APPLICANT is required to furnish the following: (NOTE: If additional space is needed, attach separate sheets securely and refer to the specific item number of this form.

A. Business Information

Applicant's Name _____

Street Address, Box # City State Zip Code Area Code/Phone

460:20-23-2(5)

2. Legal or equitable owner(s) of record of property to be mined:

Name Street Address City County State Zip Code

Name Street Address City County State Zip Code

Name Street Address City County State Zip Code

Name Street Address City County State Zip Code

460:20-23-2(5)

3. Holder of record of any leasehold interest in property to be mined:

Name Street Address City County State Zip Code

Name Street Address City County State Zip Code

460:20-23-2(5)

4. Any purchaser of record under a real estate contract of the property to be mined.

Name Street Address City County State Zip Code

Name Street Address City County State Zip Code

5. Operator (If different from applicant):

Name Street Address City County State Zip Code

460:20-23-2(2)(B)

6. Resident agent of applicant who will accept service of process (if applicable):

Name Street Address City County State Zip Code

460:20-23-2(1)

7. Applicant is a: Corporation (), Single Proprietorship (), Joint Venture (), Partnership (), Other

460:20-23-2(1)

8. For business other than single proprietorships, provide the following information, where applicable:

460:20-23-2(3)

8a. The names of every officer, partner, director, or other person performing a function similar to a director of the applicant:

Name Street Address City County State Zip Code

Name Street Address City County State Zip Code

Name Street Address City County State Zip Code

460:20-23-2(3)

8b. Principal shareholders of the applicant:

Name Street Address City County State Zip Code

Name Street Address City County State Zip Code

Name Street Address City County State Zip Code

460:20-23-2(3)(D)

8c. Did the applicant, partner, or principal shareholder operate a surface coal mining operation in the United States within the five (5) years preceding the date of this applications? ___Yes ___No
If yes, answer the following:

(Name of Official Identified)(Name of Mine)(City, State Location of Mine)(Permit #)

(Name of Official Identified)(Name of Mine)(City, State Location of Mine)(Permit #)

(Name of Official Identified)(Name of Mine)(City, State Location of Mine)(Permit #)

460:20-23-2

9. If any owner, holder or purchaser of record, or operator listed under 1 through 5 above is a business entity other than a single proprietor, check here () and list names and address of their principals, officers, and resident agent.

Name Street Address City County State Zip Title

Name Street Address City County State Zip Title

Name Street Address City County State Zip Title

460:20-23-2(4)

10. Are any current or previous coal mining permits in the United States held by the applicant subsequent to 1970 and by any person identified by question 8c above?

(Permit/Application Number) (Regulatory Authority) (State)

(Permit/Application Number) (Regulatory Authority) (State)

(Permit/Application Number) (Regulatory Authority) (State)

(Permit/Application Number) (Regulatory Authority) (State)

460:20-23-2(5)

11. Provide a listing of all owners of record of surface property and of coal mineral rights next to the proposed permit area. Show boundaries on MP-4.

Name Street Address City County State Zip Title

Name Street Address City County State Zip Title

Name Street Address City County State Zip Title

460:20-23-2(7)

12. Provide the name of the proposed mine and the Mine Safety and Health Administration (MSHA) identification number for the mine and all sections, if any.

Name of Mine MSHA I.D. #

Name of Mine MSHA I.D. #

Name of Mine MSHA I.D. #

460:20-23-2(8)

13. Provide a statement of all lands, interest in lands, options, or pending bids on interest held or made by the applicant for lands which are contiguous to the area to be covered by the permit.

B. Compliance Information

NOTE: If additional space is needed, attach separate sheets securely and refer to specific item number on this form.

460:20-23-3(1)

1. Has the applicant for the permit, or any subsidiary, affiliate or persons controlled by or under common control with the applicant:

460:20-23-3(A)

- 1a. Had a federal or state mining permit suspended or revoked in the last five (5) years? ___Yes ___No

460:20-23-3(B)

- 1b. Forfeited a coal mining bond or similar security deposited in lieu of bond? ___Yes ___No

460:20-23-3(2)

2. If the answer to either 1a or 1b above was yes, applicant should provide the following information:

460:20-23-3(2)(A)

2a. _____ of the Permit, or \$ _____
Identification Number, Date of Issuance Amount of Bond/Similar Security

460:20-23-3(2)(B)

2b. Provide the name of the authority that suspended or revoked a permit or forfeited a bond:

Provide the reason for such action:

460:20-23-3(2)(C)

2c. What is the current status of the permit, bond, or similar security involved?

460:20-23-3(2)(D)

2d. Provide the date, location, and type of any administrative or judicial proceedings initiated concerning the suspension, revocation, or forfeiture:

Date	Location	Type	

460:20-23-3(2)(E)

2e. What is the current status of these proceedings? _____

460:20-23-3(3)

3. For each violation notice received by the applicant in connection with any surface coal mining operation during the three (3) year period before the application date, for violations of any law, rule or regulation of the United States, or of any State law, rule, or regulation enacted pursuant to Federal Law, rule, or regulation, or of any provision of the Act pertaining to air or water environmental protection, the applicant shall complete the following information for each such violation:

460:20-23-3(3)(A)

3a. Indicate: _____(Date of Issuance)

Identity of issuing regulatory authority, department of agency

460:20-23-3(3)(B)

3b. Provide a brief description of the particular violation alleged in the notice:

460:20-23-3(3)(C)

3c. Provide the following information about any judicial proceedings initiated concerning the violation:

Date Location Type

(The above information should include, but not be limited to, proceedings initiated by the applicant to obtain administrative or judicial review of the violations)

460:20-23-3(3)(D)

3d. Provide the current status of the proceedings and of the violation notice:

460:20-23-3(3)(E)

3e. Indicate the action, if any, taken by the applicant to abate the violation:

C. Proposed Area and Right of Entry Information

460:20-23-4(a)

(1) Pit Name _____ (2) County _____
(3) U.S.G.S. Quadrangle _____ (4) Acres to be Permitted _____

1. Provide answers for the following statements regarding each legal document which provides a right of entry and begin surface mining activities in the permit area. (Use separate pages for each legal document.)

Type of Document Date of Execution

Lessor Name _____ Surface ___ Subsurface ___ Both ___

Describe the specific lands to which the document pertains: _____

Explain the legal rights claimed by the applicant through this document:

460:20-23-4(b)

2. Has the private mineral estate to be mined been severed from the private surface estate? ___Yes
No

460:20-23-4(b)(1),(2),(3) (Check one)

___ If so, provide on a page attached a copy of the written consent of the surface owner to the extraction of coal by surface mining methods; or

___ Provide a copy of the document of conveyance that expressly grants or reserves the right to extract the coal by surface mining methods; or

___ If the conveyance does not expressly grant the right to extract the coal by surface mining methods, provide documentation that under the applicable State law, the applicant has the legal authority to extract the coal by those methods.

460:20-23-4(b)

NOTE: NOTHING IN THIS SECTION SHALL BE CONSTRUED TO AFFORD THE DEPARTMENT OF MINES AND MINING AUTHORITY TO ADJUDICATE PROPERTY TITLE DISPUTES.

D. Relationship to Areas Unsuitable for Mining

460:20-23-5(a)

Does the proposed permit area lay within an area designated unsuitable for surface mining activities under Parts 764 and 765? ___Yes ___No

If yes, explain. _____

460:20-23-5(b)

Is the proposed permit area under a study for designation in an administrative proceeding under Parts 764 and 765? ___Yes ___No

If yes, explain. _____

460:20-23-5(c)

Does the applicant plan to conduct surface mining activities on lands that are under Section 761.11? Yes ___No

If yes, explain. _____

E. Liability Insurance Information

460:20-23-7

On an attached exhibit, provide the required information for each phase of the proposed surface mining activities. Identify the exhibit: _____

460:20-23-7

Will personal injury and property damage insurance be underwritten by a third party, or self-insured?

Attach a Certificate of Insurance or evidence of self-insurability under Part 806.14, showing:

(1) Name of Insurance Company _____

Policy # _____

(2) (a) Bodily Injury Coverage: each occurrence \$ _____

aggregate \$ _____

(b) Property Damage Coverage: each occurrence \$ _____

aggregate \$ _____

F. Identification of Other Licenses and Permits

Instructions to the applicant: List all other licenses and permits you will need to conduct the proposed surface mining activities.

1. TYPE OF PERMIT OR LICENSE: _____

2. NAME OF ISSUING AUTHORITY: _____

3. ADDRESS OF ISSUING AUTHORITY: _____
Street City County State Zip Code

4. IDENTIFICATION NUMBER OF APPLICATION: _____
IF ISSUED, IDENTIFICATION NUMBER OF PERMIT OR LICENSE: _____

5. IF A DECISION HAS BEEN MADE, THE DATE OF APPROVAL: _____
IF A DECISION HAS BEEN MADE, THE DATE OF DISAPPROVAL: _____

1. TYPE OF PERMIT OR LICENSE: _____

2. NAME OF ISSUING AUTHORITY: _____

3. ADDRESS OF ISSUING AUTHORITY: _____
Street City County State Zip Code

4. IDENTIFICATION NUMBER OF APPLICATION: _____
IF ISSUED, IDENTIFICATION NUMBER OF PERMIT OR LICENSE: _____

5. IF A DECISION HAS BEEN MADE, THE DATE OF APPROVAL: _____
IF A DECISION HAS BEEN MADE, THE DATE OF DISAPPROVAL: _____

1. TYPE OF PERMIT OR LICENSE: _____

2. NAME OF ISSUING AUTHORITY: _____

3. ADDRESS OF ISSUING AUTHORITY: _____
Street City County State Zip Code

4. IDENTIFICATION NUMBER OF APPLICATION: _____
IF ISSUED, IDENTIFICATION NUMBER OF PERMIT OR LICENSE: _____

5. IF A DECISION HAS BEEN MADE, THE DATE OF APPROVAL: _____
IF A DECISION HAS BEEN MADE, THE DATE OF DISAPPROVAL: _____

1. TYPE OF PERMIT OR LICENSE: _____

2. NAME OF ISSUING AUTHORITY: _____

3. ADDRESS OF ISSUING AUTHORITY: _____
Street City County State Zip Code

4. IDENTIFICATION NUMBER OF APPLICATION: _____
IF ISSUED, IDENTIFICATION NUMBER OF PERMIT OR LICENSE: _____

5. IF A DECISION HAS BEEN MADE, THE DATE OF APPROVAL: _____
IF A DECISION HAS BEEN MADE, THE DATE OF DISAPPROVAL: _____

G. Identification of Public Office and Public Notice

460:20-23-8/460:20-23-9

- (1) Give the name and address of the county courthouse or at the approved public office where application will be filed:
- (2) Submit as an attachment a copy of the language to be contained in the public notice.
- (3) Submit under separate cover, a copy of the public notice and the publishers affidavit or other proof of publication no later than 4 weeks after the last date of publication.

ATTACHMENT PART I

SURFACE RIGHTS

STATEMENT OF CERTIFICATION

OF SURFACE RIGHTS

OKLAHOMA DEPARTMENT OF MINES
4040 N. LINCOLN, SUITE 107
OKLAHOMA CITY, OK 73105

I, _____, the owner of

Give Legal description, quarter section(s).

Section _____, Township _____, Range _____, County _____

have leased above area to no company other than _____
Name of coal company

I own _____ % of the surface rights of the above legally described land leased to the above company.

Signature of property owner

Subscribed and sworn to before me this _____ day of _____, 19 _____

Notary Public

My commission expires: _____

COAL RIGHTS

STATEMENT OF CERTIFICATION

OF COAL RIGHTS

OKLAHOMA DEPARTMENT OF MINES
4040 N. LINCOLN, SUITE 107
OKLAHOMA CITY, OK 73105

I, _____, the owner of

Give Legal description, quarter section(s).

Section _____, Township _____, Range _____, County _____

have leased above area to no company other than _____
Name of coal company

I own _____ % of the coal rights of the above legally described land leased to the above company.

Signature of property owner

Subscribed and sworn to before me this _____ day of _____, 19 _____

Notary Public

My commission expires: _____

BOND INCREMENT
(1 year each)

	#1	#2	#3	#4	#5
A. Plant site					
B. Haul Road(s)					
C. Impoundment(s)					
D. Stockpile(s)					
E. Additional acres to be affected other than A,B,C,D					
F. Unaffected area					
TOTAL - A,B,C,D,E,F					

NOTE! ALL ACRES MUST BE IDENTIFIED ON MINING & RECLAMATION PLAN MAPS.

I. IDENTIFY PREMINING LAND USE:

LAND USE CATEGORIES: ACRES SECTION TOWNSHIP RANGE COUNTY

SUBMIT premining land use maps MP-5 to identify each category as required under 460:20-25-9(a)(1)

II. IDENTIFY POSTMINING LAND USE: Will any category of land be changed? ____

If "Yes", identify below and show change area on location map(s):

LAND USE CATEGORIES: WILL CHANGE TO ACRES SECTION TOWNSHIP RANGE COUNTY

SUBMIT map MP-6 to identify each category under the postmined land use.

III. LAND OWNER(S) STATEMENT:

Submit a notarized statement from surface owner(s) that he/she has read and approved this reclamation plan.

STATE OF OKLAHOMA
DEPARTMENT OF MINES

4040 NORTH LINCOLN BLVD., #107

405/521-3859

OKLAHOMA CITY, OK 73105

AFFIDAVIT OF PERMITTEE/APPLICANT

STATE OF _____)
) SS
COUNTY OF _____)

Pursuant to Title 45 O.S. 1981 §745.1(c) DOM rules and regulations, Oklahoma Permanent Regulatory Program Regulation: Surface Mining & Reclamation Operations:

1. I/We, _____
being duly sworn, depose(s) and say(s):

2. I reside at _____
and am the person who executed the attached application for a permit to do mining in the State of Oklahoma at the site(s) specified in said application for a permit.

3. I am the operator/owner of _____
for which a permit to mine is applied for herewith and have the full right and power to act for said operation.

4. I have no outstanding debt(s) due either in taxes or penalties or fees to the State of Oklahoma or to the Government of the United States of America with regard to coal mining operations. (Authority: OPRPR: SCMRC, Part 786, §786.19h).

5. I do not have on file a bankruptcy petition (dismissals excluded) nor have arrangements with creditors been made for failure in business nor have I been adjudicated a bankrupt or had a receiver appointed by any court. (Authority: OPRPR: SCMRC, Part 808, §808.13b).

6. I have no creditor attach or execute a judgement against equipment, materials, or facilities of said applicant nor is any creditor in the process of doing same. (Authority: see #5 above).

7. I make this affidavit for the sole purpose of informing the Director of such information as he is required by law to obtain before issuing a permit to mine in the State of Oklahoma, knowing full well that the Director will rely in part upon the representation made herein.

8. Contents of this permit application and the statement therein are true and correct. (Authority: OPRPR: SCMRC, Part 771, §771.27).

Deponent

Sworn to before me

this ____ day of _____, 19__.

(seal)

Notary Public
My commission expires: _____

Part II. Environmental Resources Information

A. Cultural resources information

460:20-25-5(2)

List, describe, and locate on MP-1 map any cultural or historic resources listed, or eligible for listing on National Register of Historic Places within or adjacent to proposed operation.

B. Hydrology and Geology Description: General Requirements

Provide a description of the geology, hydrology, and water quality of all lands within:

- (a) The proposed permit area
- (b) The adjacent area
- (c) The general area

C. Geology Description

(1) (a) Based upon the result of test boring or core sampling, describe the nature, thickness and lithologic characteristics of the strata down to and including the stratum immediately beneath the lowest coal seam to be mined and identify all water bearing units: Include logs of drill holes and indicate location of water bearing zones on each log.

(b) Submit cross-sections showing each stratum described above.

(2) Submit the results of chemical analyses of the following:

(a) each stratum of overburden above the lowest coal seam to be mined including any rider seams which will not be mined,

(b) each coal seam to be mined,

(c) the stratum immediately beneath the lowest coal seam to be mined.

STRATA NAME	ELEVATION	ERODABILITY	CaCO3 EXCESS FROM ACID-BASE ACCOUNT FACTOR K
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_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

SEAMS TO BE MINED:

SEAM	ELEVATION	AREA	THICKNESS	%TOTAL	% PYRITE	% MARCASITE
	(ACRES)	(INCHES)	SULFUR			
—	—	—	—	—	—	—
—	—	—	—	—	—	—
—	—	—	—	—	—	—
—	—	—	—	—	—	—

- (3) Show on a map the following geologic information:
 - (a) location of each test boring or core sampling used to compile the above data, MP-3.
 - (b) all coal croplines and the strike and dip of the coal to be mined within the permit area, MP-4.
 - (c) location of each cross-section included in (1)(b) above MP-3.
- (4) If requested in writing, the Director may waive the requirements of this section pertaining to logs of drill holes, thickness and chemical properties of the coal, potentially acid or toxic-forming strata, and chemical analyses of stratum immediately below the coal if this information is available from other reliable sources. This request must be submitted with the application for a permit and should demonstrate that the same or similar information for the geology description within the proposed permit area already exists with the Department of Mines. The request should identify the information source.
- (5) Information submitted pertaining to the physical and chemical properties of the coal seam(s) will be maintained as confidential and not subject to public inspection except that information concerning a mineral or elemental content of the coal which is potentially toxic in the environment. In order to assure confidentiality, this information must be submitted separate from other information required in this application.
- (6) Additional test boring required by the regulatory authority to evaluate impact upon hydrologic balance. Include drill logs and indicate location of water bearing zones on those logs.

D. Ground Water Information

- (1) Describe the know uses of the water in each aquifer in the proposed permit area, and adjacent area.
- (2) If no known users of ground water exist, indicate the distance and direction to the closest known user and describe the ground water use:

- (3) Describe the possible effects that the proposed surface coal mining and reclamation operations may have on the aquifers located below the lowest coal seam to be mined. Indicate upon what basis the conclusions are drawn:
- (4) Show the following ground water information on a map (MP-3):
- (a) location and extent of each aquifer in the permit and adjacent area through the stratum immediately below the lowest coal seam to be mined, and
 - (b) location and extent of each aquifer below the lowest coal seam to be mined which may be affected by the surface coal mining and reclamation operations, and
 - (c) location, and depth if available, of all water wells in the proposed permit area and adjacent area.
- (5) (a) Based upon the information in 1 - 4 above, and the Geology Description of Section C-1 of this Part, are there significant aquifers in the permit or adjacent area? ___Yes ___No
- (b) If no, provide complete justification for that determination:
- (6) If significant aquifers exist, or if it cannot be determined that they do not exist, the following information is required:
- (a) After monitoring from a sufficient number of wells in each significant aquifer prior to application submittal, submit as attachments the following information for all ground water samples collected within the proposed permit area down to and including the lowest aquifer which may be affected by the surface mining operations. Standard accepted procedures shall be used for the collection and analysis of data:

Depth of Well

Date of Sample

Static Water Level -

Field pH -

Acidity -

Total Dissolved Solids -
(mg/l)

Total Iron " -

Total Manganese " -

* Additional parameters may be required by the Department.

- (b) Submit hydraulic characteristics of all aquifers monitored, including transmissivity, storage coefficients, and average yield on gpm.
 - (c) Show the location of all wells and/or monitoring stations used to collect the above information on a map (MP-3).
- (7) Total acreage within the permit area that is underlain by one or more significant aquifers: acres.
- (8) Describe the estimated recharge capacity of the permit area with respect to the ability of the soils and underlying materials to allow precipitation and runoff to infiltrate and reach the zone of saturation. Site specific information or available information for areas with similar hydrologic conditions may be used. The description should include supportive data and the sources of all information used:

E. Surface Water Information

- (1) Name of immediate stream(s) or tributary(ies) which will receive surface water drainage from the permit area.

Show the location of each stream or tributary on a map (MP-3).

- (2) Show on a map (MP-3) all lakes, ponds and springs in the permit area, and adjacent area.
- (3) After monitoring prior to application submittal, submit as attachments the following information for all surface water samples collected from streams listed in #1 above and other water bodies which will receive surface water drainage from the permit area. Standard accepted procedures shall be used for the collection and analysis of data:

- (a) Name of Stream or Water Body -
- Date of Data Collection -
- Discharge Rate (CFS) -
- Total Dissolved Solids (mg/l) -
- Total Suspended Solids -
- Total and Dissolved Iron " -
- Total Manganese " -
- Field pH -
- Acidity " -

* Additional parameters may be required by the Department.

- (b) Over the duration of the monitoring period compute and list the following for each stream or water body monitored:

minimum discharge rate (cfs)
maximum discharge rate (cfs)

average discharge rate (cfs)

- (4) (a) Show on a map (MP-3) the location of all monitoring stations used to collect the above data and the location of water supply intakes for current users of surface waters located within the permit area, and adjacent area.
- (b) If there are no known water supply intakes for current users of surface waters indicate the distance and direction of the nearest water supply intake:

F. Alternative Water Supply Information

- (1) If the proposed surface mining activities could result in the contamination, diminution, or interruption of an underground or surface source of water within the proposed permit area or adjacent areas used for domestic, agricultural, industrial or other legitimate uses, identify the alternative sources of water supply that could be developed to replace the existing sources:

G. Climatological Information

460:20-25-6

- (1) When requested by the Department, provide the average seasonal precipitation, average direction and velocity of prevailing winds, and seasonal temperature ranges that are representative of the proposed permit area.
- (2) Provide additional information as deemed necessary by the Department to ensure compliance with the regulations.

H. Vegetation Information

460:20-25-7

- (1) If required by the Department, provide a map delineating existing vegetative types and a description of plant communities within the proposed permit area and any proposed reference area, including: Information adequate to predict potential for reestablishing vegetation.
- (2) If a map (MP-2) or aerial photo is required, include sufficient adjacent areas to allow for evaluation of vegetation as important habitat for identified fish and wildlife.

I. Soil Resources Information

460:20-25-8(a)

- (1) Provide an adequate soil survey of the proposed permit area.
- (2) Show the location of all prime farmland soils on a map (MP-2).
- (3) Describe the thickness of the A and B (or a combination of B and C) horizons for each soil type:

Soil Type A Horizon B Horizon C Horizon Will B and C be Mixed?

- (4) Describe the estimated level of yield (under high levels of management) for each soil type within the permit area:

<u>Soil Type</u>	<u>Crop</u>	<u>Yield</u>	Potential
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460:20-25-8(b)

Are selected overburden materials (including the B and C horizons) proposed to be used to supplement or substitute for topsoil?

Yes No

If yes, then submit:

- (1) A description of the material(s) proposed as a supplement or substitute for topsoil including the thickness or the proposed material(s),
- (2) Results of chemical and physical analyses of the overburden and topsoil including pH, net acidity or alkalinity, phosphorus, potassium, texture class, and indicate the depth at which each sample was taken,
- (3) The results of field site trials or greenhouse test, if conducted,
- (4) A description of any soil amendments or management practices to be utilized on the substituted material to enhance its productivity,
- (5) A demonstration, based upon the above, that the resulting soil medium will be equal to or more suitable for sustaining revegetation,
- (6) A map (MP-2) showing the following:
 - (a) Areas where selected overburden materials will be used to supplement or substitute for topsoil,
 - (b) Areas where the selected materials will be removed from and
 - (c) The locations where soil samples were taken for #2 above.

J. Land Use Information

460:20-25-9(a)

- (1) Pre-mining uses of the proposed permit area:

Cropland__acres Pasture & Hay__acres Forest__acres

Water__acres Residential__acres Wildlife__acres

Other__acres Explain other below:

Show the location of the pre-mining uses on the premining land use map (MP-5) or aerial

photograph.

- (2) If any of the pre-mining land uses have changed within the last 5 years, describe the historic use of those land for each property:

- (3) Describe the capability of the permit area to support a variety of uses giving consideration to soils, topography, vegetative types and plant communities:

- (4) Describe the productivity of the proposed permit area before mining for each pre-mining land-use unit shown and labelled on the premining land use permit maps:

<u>Land Use Unit</u>	<u>Present Productivity</u>	<u>Source of Data</u>
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460:20-25-9(b)

Has any portion of the proposed permit area been previously mined?

Yes No

If yes, then:

- (1) Show the location of all previously mined areas on a map (MP-3&4) and indicate when the areas were mined (if known).
- (2) For each of the previously mined areas shown above describe the nature and extent of mining and state the known uses of the land prior to any mining:

460:20-25-9(c)

Describe the land use classifications under local zoning and land use planning laws or ordinances, if any, of the proposed permit area and adjacent area:

K. Prime Farmland Investigation

For each permit application, one or more of the following must be submitted. Check where applicable.

___ (1) From the soil survey for the permit area list all prime farmland soils types.

___ (2) Determine the total acreage of prime farmland soil types in the proposed permit area.

___ (3) Negative determination for prime farmland consisting of:

- (i) Demonstration that the land has not been historically used for cropland.
- (ii) Demonstration that the slope of the land is greater than 10%.
- (iii) Demonstration that the surface is very rocky.
- (iv) Demonstration that the land is flooded during the growing season(s) more than once in two years.
- (v) Demonstration that land is not irrigated or naturally subirrigated.

If submitted, does the soil survey show any prime farmlands to be within the proposed permit area for which negative determination have not be submitted? ___Yes ___No

If yes, then go to Section D, Part V.

(1) Determine the number of acres of prime farmland in the proposed permit area. Number of acres ___.

ATTACHMENT PART II

WATER USER INVENTORY

Name _____ Telephone _____

Address _____

Date _____ Interviewer _____

Source of Water Supply: Well Spring Cistern
 Stream Impoundment Rural Water System

Name _____ Address _____

Municipal Water System: Name _____

Address _____

Comments _____

Location of Supply _____

Water Use: Domestic Agriculture Other

If other, describe use: _____

Estimated Daily Water Use: _____

History of Supply _____

Topographic Setting: (Circle One) Alluvial Valley, Flood Plain, Hillside, Hilltop, Upland Draw, Other

Land Surface Elevation: _____ ft. Now Obtained: (Circle One) Level, Topomap, Other

NOTE: Provide a sketch (plan view) showing location of source with respect to roads, structures, topographic features, etc., and a sketch (elevation or isometric) showing source in relation to its immediate surroundings. Show measuring and sampling points.

Spring Flow: _____ gpm Water Depth (If Mine Shaft): _____ ft.

Aquifer: Lithology: _____

Formation and Aquifer names: _____

Any report of fluctuation or permanent changes in spring flow or water level?

Water Quality: field pH __, field conductivity __, mbo/cm, Temp __ °c/f, color __, odor __, taste __, reported quality _____

Any reported fluctuations or changes in water quality? _____

Owners permission to test water quality: Yes No

Measure springflow or water level: Yes No

Coal seam to be mined: _____ This source is: UP-DIP, DOWN-DIP, ABOVE, BELOW, THE COAL TO BE MINED

Observer: _____ Date Recorded: _____

NOTE: Any comments may be entered below, on the back of this form, or on a separate sheet; key comments to line numbers.

CROP HISTORY STATEMENT

I, _____, land owner(s) of

(Legal Description) Section Township Range County

hereby state that to my knowledge there has been no farming on the above described land for five years out of the last ten years.

Signature of Land Owner

Subscribed and sworn to me this ____ day of _____, 19____.

Notary Public

My Commission expires:

Part III. Operations Plan

A. General Requirements

460:20-27-4

Provide a description of the proposed mining operations to be conducted during the life of the mine within the proposed permit area showing:

(1) Type(s) or permit of mining activity proposed: (check those which are applicable)

Area Auger Haul or access road

Processing plant In Situ

Combined surface & underground

(2) Anticipated coal production: _____ tons annually
_____ tons total

(3) Major equipment to be used for all aspects of the mining and reclamation operations:

(4) Identify the facilities to be constructed (proposed), modified or used (existing) during the mining operation within the proposed permit area

(check where applicable):

Impoundments, # of _____

Embankments, # of _____

Diversion ditches, # of _____

Topsoil stockpiles, # of _____

Overburden storage acres, # of _____

Access and haul Roads _____ feet or miles

Railroad loops, spurs, or sidings, _____ feet or miles

Coal cleaning, handling and storage areas

Refuse storage and/or disposal area

Mine management areas

Other buildings or support facilities, describe:

Water pollution control facilities

Air pollution control facilities, if required

Show the location of these facilities or structures on map MP-4.

- (5) Describe the construction, modification, use, and maintenance of the structures listed in #4 above.

B. Existing Structures

460:20-27-5

For the purpose of this section, the term "existing structure" includes sediment ponds, and other water impoundments, coal refuse disposal sites, haul or access roads, diversion ditches, excess spoil disposal areas, conveyors, rail transportation systems, support facilities, and utility installations within the proposed permit area.

Will any existing structures be used in connection with, or to facilitate mining? ___Yes ___No

If yes, complete the following:

- (1) List the structures to be used.
- (2) Show the location of each structure on a map (MP-3).
- (3) For the structures listed in (1) above, submit as an attachment, a demonstration that each structure complies with the applicable performance standards.
- (4) For structures listed in (1) above which do not meet performance standards, submit plans for the modification and reconstruction of each structure which meet the applicable performance standards and include a construction schedule showing the time frame for beginning and completing interim steps and final reconstruction.
- (5) Provide information to show that risk of harm to the environment or to public health and safety is not significant during the period of modification or reconstruction.

C. Blasting Plan

460:20-27-6

- (1) Indicate minimum distance when blasting will occur within a) 300 feet of any building used as a dwelling, school, church, hospital, or nursing facility; or b) 500 feet of facilities including, but not limited to, disposal wells, petroleum or gas-storage facilities, municipal water-storage facilities, fluid-transmission pipelines, gas or oil-collectionlines, or water and sewage lines. Include blasting waiver request if needed.
- (2) Types and approximate amounts of explosives to be used for each type of blasting operation to be conducted.
- (3) Describe plans for the protection of public and livestock from flyrock:
- (4) Describe methods to be used to ensure that airblast does not exceed the values specified in 816.65(e) at any dwelling, public building, school, church, or commercial or institutional building:
- (5) Will blasting operations be conducted in accordance with the blasting formula, $W=(D/60)^2$?
Yes ___No

If no, describe below the method to be used to ensure that the maximum peak particle velocity does not exceed 1 inch per second:

- (6) Will any blast monitoring equipment be used? ___Yes ___No

If yes, complete the following:

- (a) Describe procedures proposed for the use of blast monitoring equipment:

- (b) Describe monitoring equipment to be used:

TYPE CAPABILITY SENSITIVITY LOCATION

- (7) Describe blast warning signal(s) and site access control equipment and procedures:
- (8) Attach a copy of blasting schedule to be published in accordance with 460:20-43-20(c)

- (9) Describe unavoidable hazardous conditions for which deviations from the blasting schedule may be needed:
- (10) Attach a copy of the blasting record to be completed after each blast in accordance with 460:20-43-23
- (11) Will blasting be conducted within 300 feet of any occupied dwellings? ___Yes ___No
- If yes, attach the following for each dwelling:
- (a) A pre-blasting survey conducted according to 460:20-43-19 , or a seismic or other appropriate investigation.
 - (b) Written consent from the owner for such blasting.
- (12) If valid existing rights are claimed, are blasting operations proposed within 300 feet of any public building, school, church, community or institutional building? ___Yes ___No
- If yes,
- (a) Submit a pre-blasting survey, or a seismic or other appropriate investigation for each structure.
 - (b) Show on a map (MP-4), the location of the proposed blasting operations with respect to each structure.
 - (c) Describe the blasting methods to be used to ensure the protection of public health and safety.

- (13) Show on a map (MP-4) the proposed location of each explosive storage facility to be used by this operation.

D. Maps and Plans

460:20-27-7

- (1) List all buildings on the proposed permit area and adjacent area and indicate their current use:

<u>Building</u>	<u>Use</u>	<u>Building</u>	<u>Use</u>
-----------------	------------	-----------------	------------

Show the location of each building on a map (MP-4).

- (2) (a) Indicate which of the following structures and/or easements for such structures are located within the proposed permit area:
- Electric transmission lines
 - Gas or oil pipelines
 - Water or sewer pipelines
 - Oil, gas, or water wells
 - Railroads
 - Telephone cables or lines
- (b) Show the location of all structures indicated above on a map (MP-4).
- (c) Describe the measures to be taken to minimize damage, destruction, or disruption of services provided by any of the above structures:
- (3) Submit a map (MP-3), which accurately represents the existing land surface configuration of the proposed permit area:

E. Air Pollution Control

460:20-27-8

- (1) Provide an air quality monitoring program, if required by the Department, containing sufficient data to evaluate the effectiveness of the fugitive dust control practices to comply with Federal and State air quality standards.

Identify on the Mining Plan Map [4] all occupied dwellings within 1000 feet of any haulroad.

- (2) For proposed permit area, describe fugitive dust control plan to be employed during site preparation, mining, and reclamation.
- (3) Provide an air quality permit, if required by 63 O.S. Supp. 1980, § 1 - 1801 et seq.

Company Name

PREBLAST SURVEY FORM

Job Number: _____
Structure/property I.D. # _____

Distance to nearest permit boundary:

Page _____ of _____

_____ Occupant Owner

_____ Address (Street) _____ Address (Street)

_____ City _____ State _____ Zip _____ City _____ State _____ Zip

_____ Phone # (Including Area Code) _____ Phone # (Including Area Code)

_____ Date of Inspection (MM/DD/YY)

_____ Inspector's Name (Print)

From: _____ To: _____
Time of Inspection

OCCUPANT'S APPROVAL (For Inspection): _____

OCCUPANT'S DISAPPROVAL (For Inspection):

_____ OCCUPANT'S SIGNATURE _____

EXPLANATION: ALL LINES MUST HAVE SOME RESPONSE ENTERED!

Visible Coded Responses Include: NA = Not Applicable, N/VD = No Visible Damage, W/O = Apparent Working Order, UK = Unknown, Not Available.

Use Compass Directions when Locating or describing Walls, etc. (N-North, SE-Southeast, etc.)
Include Windows, etc. in Wall Descriptions

Job Number: _____
Structure/property I.D. # _____

Page _____ of _____
Photo I.D. Number(s)

PROPERTY DESCRIPTIONS: (Construction Type, Age, Etc.) _____

INTERIOR

Living Room _____
Wall () _____
Wall () _____
Wall () _____

Wall () _____

— Ceiling _____
Floor _____
Fireplace _____
Other _____

Dining Room _____
Wall () _____
Wall () _____
Wall () _____

Wall () _____

— Ceiling _____
Floor _____
Other _____

Kitchen _____
Wall () _____
Wall () _____
Wall () _____

Wall () _____

— Ceiling _____
Floor _____
Plumbing (Hot) (Cold) (Drain) _____
Other _____

Laundry Room _____
Wall () _____
Wall () _____
Wall () _____

Wall () _____

— Ceiling _____
Floor _____
Plumbing (Hot) (Cold) (Drain) _____
Other _____

Bath Room _____

Wall () _____

Wall () _____

Wall () _____

Wall (_____)

Ceiling _____

Floor _____

Plumbing (Hot) _____ (Cold) _____ (Drain) _____

Other _____

Bed Room (1) _____

Wall () _____

Wall () _____

Wall () _____

Wall (_____)

Ceiling _____

Floor _____

Other _____

Bed Room (2) _____

Wall () _____

Wall () _____

Wall () _____

Wall (_____)

Ceiling _____

Floor _____

Other _____

Bed Room (3) _____

Wall () _____

Wall () _____

Wall () _____

Wall (_____)

Ceiling _____

Floor _____

Other _____

Hall Wall _____

Wall () _____

Wall () _____

Wall () _____

Wall (_____)

Ceiling _____

Floor _____

Other _____

Job Number: _____
Structure/property I.D. # _____

Page _____ of _____
Photo I.D. Number(s)

Garage _____
Foundation () _____
Wall () _____
Foundation () _____
Wall () _____
-
Wall () _____
Foundation () _____
Wall () _____
Ceiling _____
Floor _____
Other _____

Foundation _____ (_____)

Additional Rooms _____

Furniture, etc., Delicate to Vibrations _____

EXTERIOR (First Two Lines - Check Appropriate Box)
Water (City), (Well), (Cistern), Sewer (City), (Septic) _____
Fuel (Gas), (Oil), (Electric) _____
Well (Dug) (Drilled) (Year Installed) _____
Casing Type (Pvc, Metal) (Casing Depth) _____
Well Depth (Depth to Water) (Sample I.D. #) _____
Cistern - (Water Level) (Sample #) _____
Septic Condition _____
Condition of Cables and Transmission Lines _____

Building Condition _____
Foundation () _____
Wall () _____
Foundation () _____
Wall () _____
Foundation () _____
Wall () _____
Foundation () _____
Wall () _____
Roof _____
Chimney _____
Other _____

Job Number: _____
Structure/property I.D. # _____

Page _____ of _____
Photo I.D. Number(s)

Out Buildings _____

Walkways _____

Driveways & Curbing _____

Ponds (Water Level, Dike Slumping, Seepage, Gullyng, etc.) _____

Observable Soil Conditions (Seepage, Saturation, Ponding, Gullyng, Cracking, Slumping, etc.)

ADDITIONAL NOTES _____

Owner Requests Survey Copy () _____

Note Direction (Strike) of Any Cracks

Signature of Inspector

Occupant's Signature

NOTE: Photographs Go Into Client's File

cc: Oklahoma Department of Mines

Part IV. Reclamation Plan

A. General Requirements

460:20-27-10

Each application shall contain a reclamation plan including at a minimum all information required under 460:20-27-10 - 460:20-27-20 / 780.18 - 780.37.

Each plan shall contain the following information for the proposed permit area:

- (1) The location of the initial cut on a map (MP-4) the last cut proposed, and indicate the general direction of pit advancement.
- (2) The method of operation including the timing of, anticipated length and width of, and spoil placement for each pit:

(3) Provide below an estimate of the cost of reclamation based on the timetable for completion of each major step in the reclamation plan. Provide supporting calculations for the estimate under conditions of maximum surface disturbance for that increment or increments of the proposed permit area to be bonded in this permit application.

- (a) Highwall elimination - (length, height, and composition of material used to eliminate the highwall) \$_____
- (b) Toxic spoil handling - (the amount of toxic spoil identified) \$_____
- (c) Haulroad removal and stabilization - (____ acres) \$_____
- (d) Sediment pond removal and stabilization after success of vegetation-(____acres) \$_____
- (e) Sealing of entries if applicable \$_____
- (f) Pumping, treatment, monitoring and if applicable, maintenance of treatment systems for mine drainage - \$_____
- (g) Other \$_____
- (h) Total of items (a-g) \$_____
- (i) Rough grading \$_____/acre
- (j) Topsoil or substitute redistribution\$_____/acre
- (k) Seedbed preparation - (final dressing and disking) \$_____/acre
- (l) Seeding \$_____/acre
- (m) Mulching - \$_____/acre (amount, type and method used)
- (n) Liming and fertilizing - \$_____/acre
- (o) Planting of trees - \$_____/acre
- (p) Total of items (i-o) \$_____/acre
- (q) Item number p times the number of acres disturbed; \$_____ x _____ acres \$_____/acre
- (r) (h + q) = Total Cost \$_____/acre

- (4) (a) Describe plans for the backfilling, grading and compacting of spoil and elimination of highwalls to return the proposed permit area to approximate original contour and meet the requirements of 460:20-43-37 through 460:20-43-42.

- (b) Submit as an attachment, contour map MP-6 or cross sections that show the general nature of anticipated final surface configurations of the proposed permit area.

- (c) Describe the timing and coordination of backfilling and grading with pit advancement operations:

- (5) Describe the thickness of topsoil to be removed and segregated in accordance with 460:20-43-7.
- (a) Equipment to be used for removal and redistribution of topsoil:

 - (b) Describe plans for the protection of topsoil stockpiles from wind and water erosion, unnecessary compaction, and contaminants consistent with 816.24.

 - (c) Show the proposed location of each topsoil storage area on a map MP-4.

 - (d) Describe the timing and coordination of the removal, storage and redistribution of topsoil materials with pit advancement and backfilling and grading operations:

- (6) A plan for revegetation as required in 460:20-43-43 through 460:20-43-46 including descriptions of the:
- (a) Species and amounts per acre of seeds and seedlings to be used, and the method of application, for each post-mining land use proposed:
 - (b) Soil test procedures to be used to determine the amount of nutrients and soil amendments to be applied consistent with 460:20-43-46.
 - (c) Describe the type, method, and rate of mulch to be applied on topsoiled areas:
 - (d) Describe the timing and coordination of revegetation operations with the redistribution of topsoil:
 - (e) Describe the approved technique proposed to determine the success of revegetation for each proposed post-mining land use:

- (7) Describe measures to be used to maximize the use and conservation of coal resource:
- (8) Describe measures to be used to adequately cover and stabilize all acid-forming and toxic-forming materials identified in Part II, Section C of this Application, and to ensure that all non-coal wastes are properly disposed in accordance with 460:20-43-33.
- (9)
 - (a) Describe measures to be used to plug, case, or manage exploration holes, other boreholes, wells and other openings within the proposed permit area (does not apply to holes solely drilled and used for blasting):
 - (b) Submit a typical cross-section showing how drilled holes (other than blast holes), wells or other exposed underground openings will be plugged, cased or managed.
 - (c) Show on a map (MP-3) the location of all proposed boreholes, wells, and other such openings.
- (10) A description of steps to be taken to comply with the requirements of the Clean Air Act, the Clean Water Act, and other applicable air and water quality laws and regulations and health and safety standards.

B. Protection of Hydrologic Balance

460:20-27-11

- (1) Describe the measures to be taken to assure the protection of -
 - (a) The quality of surface and ground water systems, within the permit area and adjacent area from adverse effects of the mining and reclamation process:
 - (b) The quantity of surface and ground water systems, within the permit area and adjacent area from adverse effects of the mining and reclamation process or to provide alternative sources of water where such protection of quantity cannot be assured:
 - (c) The rights of present users of surface and ground water:

- (2) Include in the description:
- (a) Number of ground water monitoring wells proposed for the permit area_____.
 - (b) Show the location and depth of ground water monitoring wells on a map (MP-3).
 - (c) Attach a typical cross-section showing at a minimum the diameter, casing, sealant, perforations, and packing proposed for the construction of ground water monitoring wells.
 - (d) Describe in detail how ground water levels and quality and quantity of ground water will be monitored to determine the effect of surface mining activities on the recharge capacity of reclaimed lands and on the quantity and quality of water in ground water systems in permit area, and adjacent area.
- (3) Describe plans for the restoration of the approximate recharge capacity of the mined area:
- (4) Surface water data and information:
- (a) Number of sediment ponds proposed for the permit area_____.
 - (b) Show the anticipated location and approximate size of sediment ponds on a map (MP-5).
 - (c) Attach one of the following:
 - (a) A completed NPDES application form for the permit area, or
 - (b) A copy of the front page and the Monitoring Requirements section of the NPDES Permit.
 - (d) If necessary, describe sediment removal and disposal methods for the treatment facilities.
 - (e) Describe specific plans for removing all treatment facilities, except those sediment ponds retained as permanent impoundments.

5. Determination of Probable Hydrologic Consequences

Describe the probable hydrologic consequences of the proposed mining and reclamation operations, within the permit and adjacent areas, under all seasonal conditions, on the -

(a) Surface water quantity and quality and indicate upon what basis the conclusions are drawn:

(b) Ground water quantity and quality and indicate upon what basis the conclusions are drawn:

C. Post Mining Land Uses

460:20-27-13

Each plan shall contain a detailed description of the proposed use following reclamation of the land within the proposed permit area, including a discussion of the utility and capacity of the reclaimed land to support a variety of alternative uses, and the relationship of the proposed use to existing land use policies and plans.

(1) Proposed post-mining uses:

Cropland__acres Pasture & Hay__acres Forest__acres
Water__acres Residential__acres Wildlife__acres
Other__acres Explain other below:

Show the location of the post-mining uses on map (MP-6).

(2) Submit as an attachment, comments from the legal or equitable owner(s) of record of the surface of the proposed permit area, and the State and local government agencies which would have to initiate, implement, approve or authorize the proposed use(s) of the land following reclamation.

(3) For any surface owner, are changes from the pre-mining land use acres proposed? ___Yes
No

If yes, complete the following for each land use change proposed:

(a) Describe how the land uses are compatible with adjacent land uses and, where applicable, with existing local land use policies and plans:

(b) For post-mining changes to water, heavy or light industry and commercial services, public services, and residential, submit as an attachment, plans which show the feasibility of the post-mining land use including a schedule showing how the proposed use will be developed, and achieved within a reasonable time after mining and be sustained.

(c) Will any public facilities (electricity, telephone service, etc.) be required to achieve the proposed use?

No

Yes - submit as an attachment letters of commitment, from parties other than the person who conducts surface mining activities to provide the facilities in a timely manner integrated with the schedule in (3)(c) above.

(d) Explain how the proposed use or uses will not present an actual probable hazard to public health or safety:

(e) When a post-mining use of heavy industry, light industry, commercial services, public services, or residential is to be developed by parties other than the operator, submit as an attachment plans for financing, attainment, maintenance of the use, and letters of commitment.

(f) Describe measures to prevent or mitigate adverse effects on fish, wildlife and related environmental values and threatened or endangered plants:

(4) Discuss the utility and capacity of the reclaimed land to support a variety of alternative land uses:

D. Ponds, Impoundments, Banks, Dams, and Embankments

460:20-27-14

Each application shall include a general plan for each proposed sedimentation pond, water impoundment, and coal processing waste bank, dam or embankment within the proposed permit area.

- (1) Each general plan shall:
 - (a) Be prepared by, or under the direction of, and certified by a qualified registered professional engineer, or by a professional geologist with assistance from experts in related fields such as land surveying and landscape architecture.
 - (b) Contain a description, map, or cross-section of the structure and its location.
 - (c) Contain preliminary hydrologic and geologic information required to assess the hydrologic impact of the structure.
 - (d) Contain a survey describing the potential effect of the structure from subsidence of the subsurface strata resulting from past underground mining operations if underground mining has occurred.
 - (e) Contain a certification statement which includes a schedule setting forth the dates that any detailed design plans for structures that are not submitted with the general plan will be submitted to the Department. The Department shall have approved, in writing, the detailed design plan for a structure before construction of the structure begins.

(2) (a) Complete the following for any proposed impoundments:

Impoundment #	Size (Acres)	Drainage Area	Height of Dam (Acre-Feet)	Max. Design Volume (Acre-Feet)	Average Depth	Permanent or Temporary Use	Intended
---------------	--------------	---------------	---------------------------	--------------------------------	---------------	----------------------------	----------

(3) Each detailed design plan for a structure that meets or exceeds the size or other criteria of the Mine Safety and Health Administration, 30 CFR 77.216(a), shall:

- (a) Be prepared by, or under the direction of, and certified by a qualified registered professional engineer with assistance from experts in related fields such as geology, land surveying, and landscape architecture.
- (b) Include any geotechnical investigation, design, and construction requirements for the structure.
- (c) Describe the operation and maintenance requirements for each structure.
- (d) Describe the timetable and plans to remove each structure, if appropriate.
- (e) For all impoundments -
 - (i) Describe the measures to assure the protection of inlets and outlets from erosion and the type of vegetation proposed to stabilize the dam and side slopes:
 - (ii) Attach a typical cross-section for each impoundment which shows the anticipated water level, and the steepness and length of side slopes surrounding the impoundments above the water level.

(4) Each detailed design plan for a structure that does not meet the size or other criteria of 30 CFR 77.216(a) shall:

- (a) Be prepared by, or under the direction of, and certified by a qualified registered professional engineer or registered land surveyor registered in the State of Oklahoma except that all coal processing waste dams and embankments covered by 816.91 - 816-93 shall be certified by a qualified registered professional engineer.
- (b) Include any design and construction requirements for the structure including any required geotechnical information.
- (c) Describe the operation and maintenance requirements for each structure.
- (d) Describe the timetable and plans to remove each structure, if appropriate.

(5) Are any coal processing waste banks proposed for this operation?
___Yes ___No

If yes, submit as an attachment, design plans and cross-section for the construction of each waste bank to comply with 460:20-43-29 - 460:20-43-31.

- (6) Will any dams or embankments be constructed of coal processing wastes? ___Yes ___No

If yes, submit as an attachment design plans and cross-sections for the construction of each dam or embankment to comply with 816/91 - 816.93 and which have been approved by the Mine Safety and Health Administration, containing the results of a geotechnical investigation of the proposed dam or embankment foundation area, to determine the structural competence of the foundation which will support the proposed dam or embankment structure and the impounded material. The geotechnical investigation shall be planned and supervised by an engineer or engineering geologist, according to the following:

- (a) The number, location, and depth of borings and test pits shall be determined using current prudent engineering practice for the size of the dam or embankment, quantity of material to be impounded, and subsurface conditions.
- (b) The character of the overburden and bedrock, the proposed abutment sites, and any adverse geotechnical conditions which may affect the particular dam, embankment, or reservoir site shall be considered.
- (c) All springs, seepage, and ground water flow observed or anticipated during wet periods in the area of the proposed dam or embankment shall be identified in each plan.
- (d) Consideration to the possibility of mud flows, rock debris falls, or other landslides into the dam, embankment, or impounded material.
- (e) If the structure is 20 feet or higher or impounds more than 20 acre-feet, each plan shall include a stability analysis of structure. The stability analysis shall include, but not be limited to, strength parameters, pore pressures, and long-term seepage conditions. The plan shall also contain a description of each engineering design assumption and calculation with a discussion of each alternative considered in selecting the specific design parameters and construction methods.

E. Surface Mining Near Underground Mines

460:20-27-15

Will surface mining activities, including auguring operations, be conducted within 500 feet of an active or abandoned underground mine?

Yes No

- (1) If yes, indicate whether Active or Abandoned,
- (2) Describe the nature, timing, and sequencing of the proposed surface mining activities with the underground mining:
- (3) Describe how the proposed activities will result in improved coal recovery, abatement of water pollution, or elimination of hazards to the health and safety of the public:
- (4) Show the location and extent of any underground workings on a map (MP-4).

F. Diversion

460:20-27-16

Are any diversions of overland flow or streams proposed?

___Yes ___No

If yes,

- (1) Show the location of each diversion on a map (MP-4).
- (2) Complete the following for each diversion proposed>

Diversion #	Length Area	Drainage Area	Type of Diversion (overland flow, or Temporary)	Permanent or for Temporary Diversion	Length of Time for
-------------	-------------	---------------	---	--------------------------------------	--------------------

(3) For each permanent diversion:

- (a) Describe plans to restore, enhance or maintain, to the extent possible, natural riparian vegetation on the banks of the stream or permanent diversion and restore the stream or permanent diversion to a gradient, cross-section and shape that approximates pre-mining stream channel characteristics:
- (b) Submit as an attachment, design and construction plans and cross-sections which demonstrate that the diversion will be constructed with gently sloping banks that are revegetated, and will safely pass the peak runoff from a precipitation event with at least a 10-year recurrence interval and which meet the requirements of 460:20-43-10.

- (4) For each temporary diversion:
- (a) Submit as an attachment, design and construction plans and cross-sections which demonstrate that the diversion will be constructed to pass safely the peak runoff from a precipitation event with at least a 2-year recurrence interval and which meet the requirements of 460:20-43-10.
 - (b) Describe plans for the removal of the diversion including the regrading, topsoiling and revegetation of the area:
 - (c) Where stream channels are to be reconstructed, describe the proposed method for reconstructing the stream channel upon removal of the temporary diversion, including stream bank stabilization, cross-section, and shape that approximates the pre-mining stream channel characteristics:
- (5) Describe how all diversions listed in #2 above will be constructed and maintained to prevent additional contributions of suspended solids to stream-flow or to runoff outside the permit area:
- (6) Buffer Zones
- (a) Will any land within 100 feet of the perennial stream be disturbed by surface mining activities? Yes No

If yes, complete (b) - (e) below:

(b) Complete the following indicating the type of activity proposed:

_____Type of Activity_____

Name of Stream	Mine Through and Mine within	
	Divert & Mine Through	Not divert 100' only

(c) For those streams to be mined through and not diverted:

- (i) Drainage area of stream above proposed activity:
_____ acres.
- (ii) Attach typical cross-sections of the existing and proposed stream channel upstream and downstream, and a sufficient number of cross-sections within the area of proposed mining to accurately represent the pre-mining channel configurations.
- (iii) Attach longitudinal profiles which show the pre-mining _____ and proposed post-mining gradient of the stream channel.
- (iv) Show on a map (MP-3) the existing and proposed stream channel locations and indicate locations where cross-sections in (b) above were taken.
- (v) Describe the proposed method for reconstructing the stream channel including stream bank stabilization, revegetation, and restoring the pre-mining stream channel characteristics:

(d) For those streams to be mined within 100 feet only, complete the following:

- (i) Describe the type of activity proposed:
- (ii) Submit a typical cross-section showing the proposed activities and their relationship to the stream.
- (iii) Show the location of the activity on a map (MP-3).

(e) Describe plans for assuring that the biological integrity of the stream will be maintained when activities are conducted within 100 feet of any perennial stream:

G. Protection of Public Parks and Historic Places

460:20-27-17

For any public parks and historic places that may be adversely affected by the proposed operations, each plan shall describe the measures to be used to minimize or prevent these impacts and to obtain approval of the regulatory authority and other agencies as required in 460:20-7-5(f).

- (1) Describe plan to prevent or mitigate impact to publicly owned cultural or historic resources listed or eligible for listing on national register of historic places within or adjacent to proposed operation.
- (2) Show location of these resources on a map (MP-1).

H. Relocation or Use of Public Roads

460:20-27-18

Each application shall describe, with appropriate maps and cross-sections, the measures to be used to ensure that the interests of the public and landowners affected are protected if, under 460:20-7-5(d), the applicant seeks to have the Department approve:

- (1) Is the proposed permit area within 1000 feet measured horizontally of the outside right-of-way line of any public road?
 Yes No

If yes,

- (a) Submit evidence of valid existing rights, or
- (b) Complete the following:
 - (i) Indicate on a map (MP-4) each public road located in or within 100 feet of the proposed permit area.
 - (ii) List the following:

Road Name or Number	Dates to be Affected		How Affected?	
	From (MO/YR)	To (MO/YR)	Width of Right-of-Way	(Mine Through) (Within 100 Feet Only) (Relocated)

- (iii) Submit as an attachment (except where roads will be mined through or relocated) cross-section(s) showing the proposed operations to be conducted within 100 feet of the outside right-of-way lines of the public road. Include right-of-way boundary, safety berms, highwalls and other structures to be within 100 feet of the road.
- (2) For those public roads to be mine through, relocated, or where operations are to be conducted within 100 feet of the right-of-way, submit as attachments:
- (a) The county or Oklahoma Department of Transportation's approval,
 - (i) Plans for the relocated road, if applicable.
 - (ii) Plans for the replacement of the existing road, if applicable.
 - (b) For those roads which will be affected by activities within 100 feet of the outside right-of-way line for which detailed plans regarding the types and locations of activities are not proposed during the initial term of the permit, the specific plans required in paragraphs (iii) and (2) above may be submitted to the Department at a later date but no later than 90 days prior to the proposed commencement of activities.
 - (c) Describe below the measures to be taken to protect the interests of the public and landowners affected including the protection of public health and safety.

I. Excess Spoil

460:20-27-19

- (1) (a) Will excess spoil be created by this operation?
___Yes ___No
- (b) If yes, describe methods of disposal in accordance with 816.71 - 460:20-43-27.

- (2) Each application shall contain the results of a geotechnical investigation of the proposed disposal site, including the following:
 - (a) The character of bedrock and any adverse geologic conditions in the disposal area;
 - (b) A survey identifying all springs, seepage, and ground water flow observed or anticipated during wet periods in the area of the disposal site;
 - (c) A survey of the potential effects of subsidence of the subsurface strata due to past and future mining operations.
 - (d) A technical description of the rock materials to be utilized in the construction of those disposal structures containing rock chimney cores or underlain by rock drainage blanket; and

- (e) A stability analysis including, but not limited to, strength parameters, pore pressures, and long-term seepage conditions. This data shall be accompanied by a description of all engineering design assumptions and calculations and the alternatives considered in selecting the specific design specifications and methods.
- (3) If under 460:20-43-24(1) / §816.71(i) rocktoe buttresses or key-way cuts are required the application shall include the following:
- (a) The number, location, and depth of borings or test pits which shall be determined with respect to the size of the spoil disposal structure and subsurface conditions; and
 - (b) Engineering specifications utilized to design the rocktoe buttress or key-way cuts which shall be determined in accordance with paragraph (b) (5) of this section.

J. Transportation Facilities

460:20-27-20

- (1) Indicate the length of each haul or access road, conveyor, and rail system to be constructed, used or maintained within the proposed permit area.

<u>Road</u>	<u>Length</u>	<u>Conveyor</u>	<u>Length</u>	<u>Rail System</u>	<u>Length</u>
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- (2) Show the location of each transportation facility above on a map (MP-4).
- (3) Submit typical cross-section of each haul or access road showing the road width, berms, ditch installation, cut and fill side slopes, and a description of the materials to be used in constructing the road.
- (4) Describe measures to ensure that each transportation facility in #1 above will be constructed or reconstructed, and maintained to prevent, to the extent possible:
- (a) Damage to fish, wildlife, and related environmental values:
 - (b) Additional contributions of suspended solids to streamflow or runoff outside the permit area:

- (5) Show on a map (MP-4) the location, length and size of all culvert installations proposed for haul or access roads, and rail transportation systems and submit a typical cross-section of a culvert installation showing the inlet and outlet protection to be provided and the depth of cover over a culvert.
- (6) Show on a map (MP-4) the location of all bridge installations proposed for haul or access roads, and rail transportation systems.
- (7) Submit design plans and specifications for each bridge installation.
- (8) Submit the parameters used in determining the size for each culvert and bridge installation.
- (9) Describe the plans for the removal, and final grading, topsoiling and revegetation of each transportation facility:

K. Bonding Information

460:20-37 / 805

(1) How will bond be submitted for this permit area?

- For the entire area.
- Submitted in Increments.

If incremental bonding is proposed, additional information will be required prior to the issuance of this permit which shows the sequence proposed for incremental bonding for the term of this permit.

(2) Based on calculations shown under Part IV, Section A, (3) list estimated costs of reclamation for each increment area to be bonded for conditions of maximum surface disturbance.

<u>Bond</u> <u>Increment</u>	<u>Estimated</u> <u>Cost</u>
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If incremental, insert following page an operations schedule specifying the number, sequence of mining and reclamation, size, and time intervals of each increment to be separately bonded.

Bond Type:

() Cash () Surety () Other _____

(A performance bond must be posted before the permit can be issued, but the bond is not to be submitted until requested by the R.A.)

Identify who the surety for the bond is to be and provide evidence of its availability. Insert behind this page the necessary documentation.

Surety for the Bond _____

Part V. Requirements For Special Categories of Mining

A. Mountaintop Removal Mining

460:20-33-4 / 785.14

The application must demonstrate that the following requirements are met:

- (1) The proposed post-mining land use of the lands to be affected will be an industrial, commercial, agricultural, residential, or public facility (including recreational facilities) use.
- (2) After consultation with the appropriate land-use planning agencies, if any, the proposed land use is deemed by the Department to constitute an equal or better economic or public use of the affected land compared with the pre-mining use.
- (3) Compliance with the requirements for acceptable alternative post-mining land uses of 460:20-43-51 / 816.133 is demonstrated.
- (4) The proposed use would be compatible with adjacent land uses and existing State and local land use plans and programs.
- (5) The regulatory authority has provided, in writing, an opportunity of not more than 60 days to review and comment on such proposed use to the governing body of general purpose government in whose jurisdiction the land is located and any State or Federal agency which the Department, in its discretion, determines to have an interest in the proposed use.
- (6) That in place of restoration of the land to be affected to the approximate original contour under 460:20-43-38 / 816.101 - 460:20-43-40 / 816.105, the operation will be conducted in compliance with the requirements of Subchapter 51 / Part 824.

B. Steep Slope Mining

460:20-33-5 / 785.15

- (1) If the predominate pre-mining slopes of the area to be mined are in excess of 20° (35%), submit as attachments detailed maps, plans and cross-sections which identify the steep slope area(s).
- (2) Demonstrate how the operations will be conducted in accordance with the requirements of 826.12.

C. Variances from Approximate Original Contour

460:20-33-6 / 785.16

- (1) Submit a topographic map, which accurately represents the existing land surface configuration of the proposed permit area.
- (2) Demonstrate the following:
 - (a) That the purpose of the variance is to make the lands to be affected within the permit area suitable for an industrial, commercial, residential, or public use post-mining land uses.
 - (b) That the proposed use, after consultation with the appropriate land-use planning agencies, if any, constitutes and equal or better economic or public use.
 - (c) Compliance with the requirements for acceptable alternative post-mining land uses of 460:20-43-51 / 816.133 or 460:20-45-51 / 817.133.
 - (d) That the watershed of lands with the proposed permit area and adjacent areas will be improved by the operations.
 - (e) That the owner of the surface of the lands within the permit area has knowingly requested, in writing, as part of the application, that a variance be granted.
 - (f) That the proposed operations will be conducted in compliance with the requirements of 826.15.
 - (g) That all other requirements of the Act, and these regulations will be met by the proposed operations.

D. Prime Farmland

460:20-33-7 / 785.17

- (1) Based upon a soil survey, indicate the number of acres of prime farmland that have not or cannot be removed through negative determination within the permit area: _____ acres.
- (2) Show the location of all prime farmland soils on a map (MP-2).
- (3) Describe the proposed thickness of the A and B (or a combination of B and C) horizons to be removed and replaced for each soil type:

Soil Type A Horizon B Horizon C Horizon Will B and C Be Mixed?

- (4) If the use of selected materials other than A, B, or C Horizon materials are proposed, submit as attachments:
 - (a) A description of the material(s) proposed as a supplement or a substitute for the A, or the B (or combination of B and C) horizon including the thickness of the proposed material(s).
 - (b) Results of chemical and physical analyses of the proposed material(s) including pH, net acidity or alkalinity, phosphorus, potassium, texture class, and indicate the depth to which each sample was taken,
 - (c) The results of field site trials or greenhouse tests, if conducted,
 - (d) A description of any soil amendments or management practices to be utilized on the substituted material to enhance its productivity.
 - (e) A map (MP-2) showing the following:

Areas where selected materials will be used to supplement or substitute for topsoil and or subsoil, where the selected materials will be removed from, and locations where soil samples were taken for (b) above.

- (5) Describe the proposed method and type of equipment to be used for removal, storage, and replacement of topsoil and subsoil:
- (6) Describe the timing and coordination of the removal, storage and redistribution of topsoil and subsoil materials with pit advancement and backfilling and grading operations:
- (7) Describe plans for the protection of topsoil and subsoil stockpiles from wind and water erosion, unnecessary compaction and contaminants.
- (8) Show the proposed location of topsoil and subsoil storage areas on a map (MP-4).

- (9) Describe conservation practices (seeding, mulching, terracing, grass waterways, etc.) to be used to adequately control erosion and sedimentation during the period from completion of regrading until final release of the performance bond. Proper adjustments must be proposed so that the final graded land is not exposed to erosion during seasons when vegetation or other conservation practices cannot be established due to weather conditions:
- (10) Describe the estimated level of yield (under high levels of management) for each existing prime farmland soil type within the permit area:

<u>Soil Type</u>	<u>Crop</u>	<u>Yield</u>
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- (11) Describe how the proposed method of reclamation will achieve, within a reasonable time, equivalent or higher levels of yield after mining as existed before mining based upon soil analyses, agricultural school studies, scientific data or standard agronomic practices:

- (12) Describe the techniques proposed to demonstrate that the prime farmland soils have been restored to equivalent or higher levels of yield after mining (actual crop production, soils analyses or other methods):

E. Variances for Delay in Contemporaneous Reclamation - Applications for surface mine and underground must be filed. The mining and reclamation operation plans for these permits shall contain appropriate narratives, maps, and plans, which:

460:20-33-8 / 785.18

- (1) Show why the proposed underground mining activities are necessary or desirable to assure maximum practical recovery of coal.
- (2) Show how multiple future disturbance of surface lands or waters will be avoided.
- (3) Identify the specific surface areas for which a variance is sought and the particular sections of the Act, and the regulations from which a variance is being sought.
- (4) Show how the activities will comply with 818 and other applicable requirements of the regulatory program.
- (5) Show why the variance sought is necessary for the implementation of the proposed underground mining activities.
- (6) Provide an assessment of the adverse environmental consequences and damages, if any, that will result if the reclamation of surface mining activities is delayed.
- (7) Show how offsite storage of spoil will be conducted to comply with the requirements of the Act, 460:20-43-24 / §816.71 - 460:20-43-27 / 816.74, and these regulations.

F. Auguring Operations

460:20-32-9 / 785.20

If auger mining is to be conducted in conjunction with the proposed surface mining operation, complete this section.

- (1) Show on a map (MP-4) the location where auguring is proposed.
- (2) Submit a typical cross-section showing the proposed highwall, the coal seam to be augured, the overburden above the coal seam, and the estimated depth of proposed auguring operations.
- (3) Describe the proposed spacing of the auger holes:

Submit a typical cross-section showing the spacing.

- (4) Describe plans for the backfilling and compacting of auger holes consistent with Subchapter 47 / Part 819 including a description of the methods to be used and the type(s) of material to be used to plug auger holes:
- (5) Describe the timing and coordination of auguring operations with the surface mining operations including the timing of final backfilling and grading and highwall elimination operations:

G. Coal Processing Plants

460:20-33-10 / 785.21

- (1) The application must contain in the mining and reclamation plan, specific plans, including descriptions, maps, and cross-sections of the construction, operation, maintenance, and removal of the processing plants and associated support facilities. The plan shall demonstrate that those operations will be conducted in compliance with Subchapter 53 / Part 827.
- (2) Will coal processing wastes (gob or slurry) be produced by this operation or disposed of within the permit area: ___Yes ___No

If yes,

- (a) Show the location of all coal processing facilities and waste disposal areas on a map (MP-4).
- (b) Describe plans for the disposal of coal processing wastes including measures to prevent combustion of the waste materials to ensure stability in the disposal area:
- (c) Describe plans to ensure that the disposal of coal processing wastes will not adversely affect water quality, flow, or create health hazards:
- (d) Describe plans for the final grading and revegetation of the coal processing waste disposal area:
- (e) Submit typical cross-sections for each gob and slurry disposal area which depict the initial and final surface configuration of the waste disposal area.

H. In Situ Processing Activities - Applications must be submitted which fulfill the requirements applicable to underground mining. In addition, the mining and reclamation operations plan for operations involving in situ processing activities shall contain information establishing how those operations will be conducted in compliance with the requirements of Subchapter 55 / Part 828, including:

460:20-33-11 / 785.22

- (1) Delineation of proposed holes and wells and production zone for approval of the Department.
- (2) Specifications of drill holes and casings to be used.
- (3) A plan for treatment, confinement, or disposal of all acid-forming, toxic-forming, or radioactive gases, solids, or liquids constituting a fire, health, safety, or environmental hazard caused by the mining and recovery process.
- (4) Plans for monitoring surface and ground water and air quality as required by the Department.

ATTACHMENT PART V

STATE OF OKLAHOMA

PERMIT # _____

DEPARTMENT OF MINES

DATE _____

4040 N. LINCOLN, SUITE 107

OKLAHOMA CITY, OK 73105

PERIMETER CERTIFICATION

I _____ hereby certify that the permit
Name (please print)
perimeter has been correctly and accurately staked on the ground as shown on
the current permit map(s) on the _____ day of _____, 19__.

GIVE LEGAL DESCRIPTION:

I further certify that a mine employee was present at the time the perimeter
was staked.

Name of employee Company Position

Signature of certifier _____ Date _____

Title _____

Subscribed and sworn to before me on this ___ day of _____, 19__.

Notary Public

My commission expires _____

ENGINEERING CERTIFICATION

I, the undersigned, hereby certify that the engineering design used in preparation of this application, attachments and supplements thereto, was done by me or under my direct supervision for _____.
Company Name

I further certify that, to the best of my knowledge, all such design was done in accordance with all applicable local, state and federal laws, rules and regulations.

This certification is applicable to the following legal description:

Name Oklahoma Registration Number (Seal)

Firm Phone Number

Address

Signature Date
