



COALEX STATE COMPARISON REPORT - 238

December 1992

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Department of Natural Resources
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TOPIC: PERMIT AND ACREAGE FEES (Updates Reports Nos. 147 & 17)

INQUIRY: Please survey the IMCC member states for the following information on coal mining permits: current fee requirements for permit applications, per acre charges, and permit renewal and revision fees. Describe the charges, where appropriate, e.g., indicate if the acreage fee is per "bonded acre".

SEARCH RESULTS: A survey of eleven IMCC member states was conducted via mailed questionnaire. The results of the survey appear below and are summarized in tabular form (see attached table). Copies of a 1990 survey of IMCC states plus two surveys of western states are

RESULTS OF THE SURVEY

ALABAMA

Permit Application Fee	Acreage Fee	Annual Fee	Renewal Fee	Revision Fee	Do Fees Cover Actual Processing Time	Statute or Regulation Cite
\$2500 per application + acreage fee	\$25 per acre bonded with each application	N/A	Revision fee: Ranges from \$100 - \$1500: \$100 - Transfer fee, \$250 - Revision to add small acreage, \$750 -	Yes, Coal fees are revised when necessary[Non-coal fees must be revised by statute change]	The permit review fee was intended to cover review of the application and all revisions submitted	Code of Alabama, 1975, Section 9-16-83(a) authorized rules and regulations effective 1982. Regulation



			Revision to change increment lines or reclamation plans, \$1500 - Major revisions requiring public notice		by the applicant during the permit review process; the fee is inadequate to compensate for the actual man-hours involved in the review process	Section 880-X-8B-.07
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ARKANSAS

Permit Application Fee	Acreage Fee	Annual Fee	Renewal Fee	Revision Fee	Do Fees Cover Actual Processing Time	Statute or Regulation Cite
\$500: \$250 review fee + a \$ 250 administrative and enforcement fee for greater than 250 ton exploration	\$500 or \$30 per acre annual fee for all areas which will be affected during the following 12-month period, whichever is greater	This annual administrative and enforcement fee is submitted on the anniversary date of the permit and each subsequent year	There are no references to fees under the renewal regulations	There are no references to fees under the revision regulations	The permit review fee was intended to cover review of the application and all revisions submitted by the applicant during the permit review process; the fee is inadequate to	Arkansas Surface Coal Mining and Reclamation Code (Code) Section 771.25



					compensate for the actual man-hours involved in the review process	
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ILLINOIS

Permit Application Fee	Acreage Fee	Annual Fee	Renewal Fee	Revision Fee	Do Fees Cover Actual Processing Time	Statute or Regulation Cite
See below	\$125 per bonded acre for surface mined land	\$5 per acre for each year bond is in force for all other areas. Can be paid in annual increments	None	None	Yes	62 Ill Adm Code 1777.17

INDIANA

Permit Application Fee	Acreage Fee	Annual Fee	Renewal Fee	Revision Fee	Do Fees Cover Actual Processing Time	Statute or Regulation Cite
None	None	N/A	None	None	\$0.055 per ton of mined coal paid by all permittees to cover the state share of program costs	IC 13-4.1-3-2

KENTUCKY

Permit Application Fee	Acreage Fee	Annual Fee	Renewal Fee	Revision Fee	Do Fees Cover Actual Processing Time	Statute or Regulation Cite
\$25.00 per year;	Bond, when required: \$100	See application	See permit	Under 10%	Yes	405 KAR 5:010 and



License fee: \$100 per year	- \$500 per acre/minimum bond; \$2000 land affected	and license fees	And license fees	change in total acres no fee. Over 10% change in total acres fee is same as permit fee	
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MARYLAND

Permit Application Fee	Acreage Fee	Annual Fee	Renewal Fee	Revision Fee	Do Fees Cover Actual Processing Time	Statute or Regulation Cite
See acreage fee	\$12 per acre per year to a maximum of \$1000; \$30 per acre reclamation fee	See acreage fee	Same as application (acreage) fee. No reclamation fee	\$100 plus new acreage fee, if acreage is added	Yes	Annotated Code of Maryland, Natural Resources Article, Section 7- 6A-07.

MISSOURI

Permit Application Fee	Acreage Fee	Annual Fee	Renewal Fee	Revision Fee	Do Fees Cover Actual Processing Time	Statute or Regulation Cite
\$100 per permit	\$100 per acre. Fees are on all acreage permitted, not necessarily bonded; Fees are due when permit application is deemed complete	\$100 per permit	\$100 per permit	\$100 for major revisions; \$0 for minor revisions	No	444.820.1 RSMO Cum Supp 1990 (Surface Mining Law); 10 CSR 40- 6.010(6) - Rules



OHIO

Permit Application Fee	Acreage Fee	Annual Fee	Renewal Fee	Revision Fee	Do Fees Cover Actual Processing Time	Statute or Regulation Cite
None	\$75 per acre.	N/A	None	None	Yes	1513.07(B)(1)

PENNSYLVANIA

Permit Application Fee	Acreage Fee	Annual Fee	Renewal Fee	Revision Fee	Do Fees Cover Actual Processing Time	Statute or Regulation Cite
\$250 per application for surface coal mines, underground mines and coal preparation plants; \$500 per application for coal refuse disposal operations plus \$10 per acre for acreage in excess of 50 acres	\$50 per acre reclamation fee for new surface coal mines	N/A	\$250 per application	None	No	25 Pa Code Section 86.17

VIRGINIA

Permit Application Fee	Acreage Fee	Annual Fee	Renewal Fee	Revision Fee	Do Fees Cover Actual Processing Time	Statute or Regulation cite
None.	\$12 per	\$6 per acre or	See	Acreage	No	45.1-235 E



	acre or any fraction thereof for the total acreage permitted	any fraction thereof for areas disturbed under the permit. Paid on the permit anniversary	annual fee	fee applies if revision is to add additional acreage		of Virginia Coal Surface Mining Control and Reclamation Act of 1979; VA.CSMRR 480-03-19.777.17 Permit fees
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WEST VIRGINIA

Permit Application Fee	Acreage Fee	Annual Fee	Renewal Fee	Revision Fee	Do Fees Cover Actual Processing Time	Statute or Regulation cite
\$1000	\$1000 to \$5000 site specific bond per acre or fraction thereof	N/A	\$2000	None	No	New Permit: 22A-3-8(f); Renewal: 22A-3-19(a)(4)

ATTACHMENTS

- A. TABLE OF FEES
- B. COALEX State COMPARISON REPORT - 147
- C. COMPARISON OF MINING PERMIT FEES FOR FIVE WESTERN States, compiled January, 1990.
- D. COMPARISON OF MINING PERMIT/REGULATORY FEES IN WESTERN States, compiled by Mark Moxley, Wyoming DEQ-LQD, December, 1991.

TABLES OF FEES

ALABAMA

Permit Fees	Acreage Fees	Renewal/ Annual Fees	Revision Fees	Cover Time
\$2500 + acre fee	\$25 per bonded acre per application	\$500 + \$25 per bonded acre	\$100 - Transfer fee; \$250 - Revise: small acreage; \$750 - Revise: reclamation plans; \$1500 - Revise: major	Yes



ARKANSAS

Permit Fees	Acreage Fees	Renewal/Annual Fees	Revision Fees	Cover Time
\$500 (\$250 for review + \$250 for admin. & enforcement)	\$500 or \$30 per acre affected*	*These fees are paid on the anniversary of permit; No renewal fee	None - Though intended to cover processing time, fees do not cover actual man-hours	No

ILLINOIS

Permit Fees	Acreage Fees	Renewal/Annual Fees	Revision Fees	Cover Time
See acreage fees	\$125 per bonded acre	\$5 per acre each year bond in force; No renewal fee	None	Yes

INDIANA

Permit Fees	Acreage Fees	Renewal/Annual Fees	Revision Fees	Cover Time
None	None	None	None	\$.055 per ton - Per ton fee of mined coal is intended to cover state's share of program costs.

KENTUCKY

Permit Fees	Acreage Fees	Renewal/Annual Fees	Revision Fees	Cover Time
\$25 + \$100 license per year	\$100 - \$500 per acre/min.; \$2000 land affected	See permit fees	Under 10% acre change = no fee; over 10% same as permit fees	Yes



MARYLAND

Permit Fees	Acreage Fees	Renewal/Annual Fees	Revision Fees	Cover Time
See acreage fees	\$12 per acre per year to max. of \$1000; \$30 per acre reclaim. fee	Annual and renew fees are same as acreage fees; No reclaim. fee	\$100 + new acre fee if acreage added	Yes

MISSOURI

Permit Fees	Acreage Fees	Renewal/Annual Fees	Revision Fees	Cover Time
\$100 per permit	\$100 per acre permitted, not bonded	\$100 per permit: annual and renewal fees	\$100 - Fee is for major revisions. There is no fee for minor revisions.	No

OHIO

Permit Fees	Acreage Fees	Renewal/Annual Fees	Revision Fees	Cover Time
None	\$75 per acre	None	None	Yes

PENNSYLVANIA

Permit Fees	Acreage Fees	Renewal/Annual Fees	Revision Fees	Cover Time
\$250 per application - Fee for surface coal mines, underground mines and coal preparation plants. Application fee for coal refuse disposal operations = \$500 + \$10 per acre for acreage in excess of 50 acres.	\$50 per acre reclaim. fee for new mines.	\$250 to renew	None	No

VIRGINIA

Permit Fees	Acreage Fees	Renewal/Annual Fees	Revision Fees	Cover Time
None	\$12 per acre permitted	\$6 per acre on permit anniversary	Acreage fee applies if revision adds acreage	No



WEST VIRGINIA

Permit Fees	Acreage Fees	Renewal/Annual Fees	Revision Fees	Cover Time
\$1000	Bond: \$1,000 - \$5,000 per acre or fraction	\$2000 to renew	None	No