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SURFACE MINE
SUB-PERMIT PACKET

Surface permits start with an “S” and then eight (8) numbers (i.e. S00301299). If the permit has been permitted before, it will have an A, B, C, D, E and so on at the end of the permit number (i.e. S00301299A). If the permit holder is a production contractor, the permit number will have a dash/letter at the end and one “0” will be dropped (i.e. S0301299-A).

**DMM 60 APPLICATION FORM
GENERAL INFORMATION FORM
LIST OF OWNERS/OFFICERS**

DMM 60 APPLICATION FORM
GENERAL INFORMATION FORM
LIST OF OWNERS & OFFICERS

☐ DMM-60
☐ DMM-60S
☐ DMM-60B (UNDERGROUND)
☐ DMM-60SB (SURFACE)

MINE SAFETY.WV.GOV

PERMITS ARE VALID FOR ONE CALENDAR YEAR (JANUARY THROUGH DECEMBER) AND MUST BE RENEWED EACH JANUARY. SEE REVERSE SIDE FOR APPLICABLE CODE SECTIONS. Operators are required to comply with all WV laws and regulations. Copies can be purchased or downloaded from the publication link on our website at minesafev.wv.gov REVISED 03-2019

22A-3-35

Applicability and enforcement of laws safeguarding life and property; regulations authority of Office of Miner's Health, Safety and Training regarding enforcing safety laws.

All provisions of the mining laws of this state intended to safeguard life and property shall extend to all surface mining operations insofar as such laws are applicable thereto. The Director shall promulgate reasonable regulations in accordance with the provisions of chapter twenty-nine-a of this code to protect the safety of those employed in and around surface mines. The enforcement of all laws and regulations relating to the safety of those employed in and around surface mines is hereby vested in the Office of Miner's Health, Safety and Training and shall be enforced according to the provisions of chapter twenty-two-a of this code.

22A-2-63

No mine to be opened or reopened without prior approval of the director of the office of miners' health, safety and training; certificate of approval; approval fees; extension of certification of approval; certificates of approval not transferable; section to be printed on certificates.

(a) After the first day of July one thousand nine hundred seventy-one, no mine shall be opened or reopened unless prior approval has been obtained from the director of the Office of Miners' Health, Safety and Training, which approval shall not be unreasonably withheld. The operator shall pay for such approval a fee of one hundred dollars, which payment shall be tendered with the application for such approval: Provided, that mines producing coal solely for the operator's use shall be issued a permit without charge if coal production will be less than fifty tons a year.

Within thirty days after the first day of January of each year, the holder of such permit to open a mine shall apply for the extension of such permit for an additional year. Such permit, evidenced by a document issued by the director, shall be granted as a matter of right for a fee of one hundred dollars if, at the time such application is made, the permit holder is in compliance with the provisions section seventy-seven of this article and has paid or otherwise appealed all coal mine assessments issued to the mine if operated by the permit holder and imposed under article one-a, chapter twenty-two-a of this code. Applications for extension of such permits not submitted within the time required shall be processed as an application to open or reopen a mine and shall be accompanied by a fee of one hundred dollars.

(b) Permits issued pursuant to this section shall not be transferable.

(c) If the operator of a mine is not the permit holder as defined in subsection (a) above, then such operator must apply for and obtain a certificate of approval to operate the mine on which the permit is held prior to commencing operations. An operator who is not the permit holder operating such mine on the effective date of this section must apply for a certificate of approval on or before the first day of July one thousand nine hundred ninety-three. The operator shall pay a fee of one hundred dollars, which payment shall be tendered with the application for approval. Such approval, evidenced by a certificate issued by the director, shall be granted if, at the time such application is made, the applicant is in compliance with the provisions of section seventy-seven of this article and has paid or otherwise appealed all coal mine assessments imposed on such applicant for the certificate of approval under article one-a, chapter twenty-two-a of this code.

(d) In addition to the authority to file a petition for enforcement under subdivision (4), subsection (a), section nineteen, article one-a, chapter twenty-two-a of this code, if an operator holding a certificate of approval issued pursuant to subsection (c) of this section, against whom a civil penalty is assessed in accordance with section nineteen, article one-a, chapter twenty-two-a of this code, and implementing regulations, and which had become final, fails to pay the penalty within the time prescribed in such order, the director or the authorized representative of the director, by certified mail, return receipt requested, shall send a notice of such operator advising the operator of the unpaid penalty. If the penalty is not paid in full within sixty days from the issuance of the notice of delinquency by the director, then the director may revoke such operator's certificate of approval; Provided, that such operator to whom the delinquency notice is issued shall have thirty days from the receipt thereof to request, by certified mail, return receipt requested, a public hearing held in accordance with the procedures of section fifteen, article one-a, chapter twenty-two-a of this code, and implementing regulations, including application for temporary relief. Once such operator's certificate of approval is revoked pursuant to this subsection, such operator shall be prohibited from obtaining any certificate of approval under the provisions of this section to operate any other mine until such time as that operator pays the delinquent penalties that have become final.

(e) Every firm, corporation, partnership or individual that contracts to perform services or construction at a coal mine shall be deemed to be an operator and beginning the first day of January, one thousand nine hundred ninety-five, must apply for and obtain a certificate of approval prior to commencing operations: Provided, that such persons shall only be required to obtain one certificate annually: Provided, however, that persons such as, but not limited to, consultants, mine vendors, office equipment suppliers, and maintenance and delivery personnel are excluded from this requirement. Any such operator shall pay a fee of one hundred dollars, which shall be tendered with the application for approval. Such approval, evidenced by a certificate issued by the director, shall be granted if, at the time such application is made, applicant has paid or otherwise appealed all coal mine assessments imposed on such applicant under article one-a, chapter twenty-two-a, of this code.

Within thirty days after the first day of January of each year, the holder of such certification of approval shall apply for the extension of such approval for an additional year. Applications for extension must be accompanied by a fee of one hundred dollars. An extension shall be granted if, at the time such application is made, the applicant has paid or otherwise appealed all coal mine assessments imposed on such applicant under article one-a, chapter twenty-two-a of this code. All delinquent assessments which have been imposed upon a certificate of approval holder or applicants under this section shall not be imposed upon any permit holder or certificate of approval holder or applicants under this section shall not be imposed upon any permit holder or certificate of approval holder or any applicant pursuant to subsection (a) or (c) of section sixty-three.

(f) The provisions of this section shall be printed on the reverse side of every permit issued under subsection (a) and certificate of approval issued under subsection (b) herein.

(g) The district mine inspector shall be contacted for a pre-inspection of the area proposed for underground mining prior to the issuance of any new opening approval.

West Virginia Office of Miners' Health Safety & Training

GENERAL INFORMATION FORM

Region: _____

Select Type of Operation (select only one)

☐ UNDERGROUND COAL MINE

☐ SURFACE COAL MINE

☐ COAL HANDLING FACILITY

☐ QUARRY

All Applicants must complete the following section

WV Permit No.:	MSHA ID No:	FEIN No:
Company Name:	Mine/Facility Name:	
Mailing Address:		
City:	State:	Zip:
County(s):	Location:	
Latitude:	Longitude:	Quadrangle:
No. of Shifts:	Working Status:	
Company Phone:	Mine/Facility Phone:	
Name of Company Contact:	Title:	
Superintendent:	Foreman:	
Certified Person Responsible for Training:		
Miners' Representative (if applicable):		
WV Workdners Comp Policy No.:	Effective Date:	Co. Registered with WV Sec. of State: Y <input type="checkbox"/> N <input type="checkbox"/>

Assessment Contact Officer and Assessment Mailing Address: (assessments will be mailed to this address unless otherwise notified)

Name:	Title:	Phone:
Address:	City:	St: Zip :
Email Address:		

Underground and Surface Coal Mine Applicants must complete the following section

Name of Reclamation Permit Holder:	DMM60B: Y <input type="checkbox"/> N <input type="checkbox"/>
If Production Contractor (DMM60-B) Provide Name of Company and Permit Number:	
Responsible for Reporting Tonnage: Y <input type="checkbox"/> N <input type="checkbox"/>	
Seam(s) Being Mined:	Thickness:

Underground Coal Mine Applicants must complete the following section (check mine type)

Mine Type:	Shaft: <input type="checkbox"/>	Slope: <input type="checkbox"/>	Drift or Combination: <input type="checkbox"/>	No. of Sections:
Mining Direction (advance <input type="checkbox"/> or retreat <input type="checkbox"/>		Roofbolt - Type and Size:		Inside Haulage Type:
Mine Rescue Services provided by (required by 22-1A-33):				

Surface Coal Mine Applicants must complete the following section (check operation type)

Operation Type:	Contour: <input type="checkbox"/>	Open Pit: <input type="checkbox"/>	Mt.Top Removal: <input type="checkbox"/>	Auger: <input type="checkbox"/>	Highwall: <input type="checkbox"/>	Other: <input type="checkbox"/>
No. of Acres:	Does this Operation Use High Voltage Electrical Equipment Y <input type="checkbox"/> N <input type="checkbox"/>					

Coal Handling Facility Applicants must complete the following section (check facility type)

Facility Type: Loadout: <input type="checkbox"/>	Tipple: <input type="checkbox"/>	Prep Plant: <input type="checkbox"/>	Cleaning Plant: <input type="checkbox"/>	River Dock: <input type="checkbox"/>	Other: <input type="checkbox"/>
Type of Haulage into facility:			Type of Haulage out of Facility:		
No. of Employees:	Operating Days:		Empl. Hrs. Worked Per Month:		

Quarry Applicants must complete the following section

Mineral(s) Produced:	Geological Formation:
No. of Sections:	

Email Address Information: (Use additional sheet if necessary to include all emails for person you want listed)

Email Address of Company Representative:
Email Address of Safety Department Contact:
We are asking for this information so that we can send electronic mailings, safety notices, regulations, etc.

_____ Title _____ Date _____
Signature (must be an owner, partner, LLC member or corporate officer)

**PERMIT APPLICATION
OWNERS - OFFICERS**

WV PERMIT NO: _____

In accordance with the Federal Privacy Act, 5 USC 552a, and 1974 addendum Public Law 93-579 7(b), please provide the names, titles and social security numbers of every officer, partner, resident agent, director, or person performing a function similar to a director, together with the names and titles of any person owning of record ten percent (10%) or more of any class of voting stock of the applicant: (use attachments as necessary). **PLEASE NOTE: WE NOW ASK FOR THE LAST FOUR (4) DIGITS OF SOCIAL SECURITY NUMBERS. THIS INFORMATION IS REQUIRED FOR IDENTIFICATION PURPOSES FOR OUR PERMIT ISSUANCE SYSTEM. THIS INFORMATION IS REQUIRED.**

AGENT:

Name:	Last four digits of SSN: xxx-xx-	
Address		
City:	State:	Zip:

Telephone No.:	Email Address:
----------------	----------------

OWNERS / OFFICERS

First Name	MI	Last Name	Last four digits of SSN	Title	Start/End Date
1.			xxx-xx-		
2.			xxx-xx-		
3.			xxx-xx-		
4.			xxx-xx-		
5.			xxx-xx-		
6.			xxx-xx-		
7.			xxx-xx-		
8.			xxx-xx-		
9.			xxx-xx-		
10.			xxx-xx-		

(If additional owners/officers are to be listed, use additional sheet(s)).

Do Not Write Below This Line

Miners' Health, Safety and Training use only:

Company ID _____ File Update _____ Incomplete _____

REGIONAL OFFICE ADDRESSES

REGION I
WV MHST
14 COMMERCE DRIVE, SUITE 1
WESTOVER, WV 26501
(304) 285-32686

REGION II
WV MHST
830 VIRGINIA AVENUE
WELCH, WV 24801
(304) 436-8421

REGION III
WV MHST
431 Running Right Way
Julian, WV 25529
(304) 369-7823

REGION IV
WV MHST
337 INDUSTRIAL DRIVE
OAK HILL, WV 25901
(304) 469-8100

FILING FEE PER PERMIT

FILING FEE PER PERMIT IS \$100.00

*This can be paid by a check or on our
website at minesafety.wv.gov*

MR-4, MR-19, OR MR-19A

MR-4, MR-19, MR-19A

MR-19 FROM DEP

MR-2

STATE OF WEST VIRGINIA

NEW PERMIT

Department of Environmental Protection

PERMIT NUMBER

[REDACTED]

Issue Date

[REDACTED]

NPDES NUMBER

[REDACTED]

Expiration Date

[REDACTED]



PERMIT

TO ENGAGE IN SURFACE MINING

Issued To:

[REDACTED]

County

[REDACTED]

Nearest
Post Office

[REDACTED]

Limited To

[REDACTED]

Acres

Pursuant to Article 3, Chapter 22 of the Code of West Virginia, a PERMIT is hereby granted to the above named permittee to engage in surface mining in the state of West Virginia. As a condition of this permit, all surface coal mining and reclamation operations shall be conducted as described in and in compliance with the complete application and only on those lands specifically designated on the map(s) submitted. All operations shall be conducted to prevent significant imminent environmental harm to the health or safety of the public. The permittee shall, as soon as possible after learning of such condition or of noncompliance with any term or condition of the permit, warn any person whose health and safety is in imminent danger and the permittee shall immediately commence implementation of measures necessary to comply and shall also accelerate or provide the additional monitoring necessary to determine the nature and extent of such noncompliance.

The following are special terms and conditions of this permit: 1) The permittee shall notify the inspector five (5) days prior to beginning of operations unless operations begin within five (5) days of permit issuance; 2) The permittee shall obtain a NPDES (402)* Permit prior to initiation of mining activities; the NPDES Permit must be maintained through final release of this permit; 3) No instream work or filling activities can commence in waters of the U. S. until 404* Authorization is granted by the U.S. Army Corps of Engineers and its associated State (401)* Water Quality Certification is made; 4) MSHA approval must be obtained prior to initiation of any construction activities.

(*note: 401, 402 and 404 refer to applicable Sections of the Clean Water Act)

A copy of this PERMIT and the complete approved application upon which it is based shall be kept at the site of operations at all times.

SECRETARY, Department of Environmental Protection

DATE

[REDACTED]

By: Director, Division of Mining and Reclamation

[REDACTED]



west virginia department of environmental protection

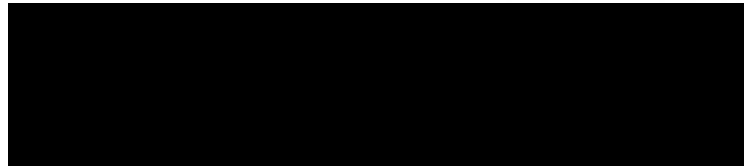
Division of Mining and Reclamation
1159 Nick Rahall Greenway
Fayetteville, WV 25840
(304) 574-4465

Austin Caperton, Cabinet Secretary
dep.wv.gov

**NOTICE OF ADVANCE APPROVAL
OF PERMIT TRANSFER**

TRANSFERRED FROM (Permittee)	TRANSFERRED TO (Applicant)
[REDACTED]	[REDACTED]

RE: Permit No. (s):



Dear Applicant:

Your application for transfer of the above referenced permit(s) has been reviewed in our regional office and determined to be in compliance with the requirements of the Surface Mining Reclamation Regulations. In accordance with 3.25(a)(4) of these regulations, the Director may grant approval in advance of the close of the public comment period.

Therefore, this is hereby giving you notice that we are honoring your request for advance approval. This advance approval is based upon the following stipulations:

1. That where information is made available to the Director as a result of public comment that would preclude approval, such approval shall be immediately withdrawn.
2. The current permittee referenced above remains responsible for all enforcement activities related to this permit until final approval of the permit transfer.
3. This advance approval is limited to a period of 60 days from advance approval date.
4. The bond of the current permittee remains in effect until final approval of permit transfer.

Sincerely,

DEP Authorized Representative

cc: OMR Headquarters
Environmental Inspector
Permittee

Promoting a healthy environment.

INITIAL MINE MAP CHECKLIST

INITIAL MINE MAP
CHECKLIST

CHECKLIST FOR INITIAL MINE MAP

THREE (3)
CERTIFIED SURFACE MINE MAPS
INCLUDING HAULROADS

WEST VIRGINIA OFFICE OF MINERS' HEALTH, SAFETY & TRAINING

Instructions: CHECKLIST FOR INITIAL MAP AND SEMI-ANNUAL MAP SUBMITTALS

Instructions for Engineers:

- 1) The attached checklist is to accompany all INITIAL MAPS and SEMI-ANNUAL MAPS submitted to this agency for review and archiving.
- 2) The checklist is intended as an aid to you and to the agency to ensure that in this age of layered computer drawings that all required map elements are present and accounted for. It is also intended to set some additional standards and clarify expectations of what the inspectors will be looking for in your maps.
- 3) The certifying engineer shall be responsible for the accuracy and completeness of this checklist, and shall acknowledge the same with his/her signature at the bottom.
- 4) Most of the checklist items are requirements whose wordings are taken verbatim from the regulations. A few, like item 28, are generally used in good practice but not universally so. Because of the various datums and coordinate systems in use today it is necessary to specify details concerning which system is used for your particular mine. It may be common knowledge to you, but perhaps not to the rest of the world now and forever.
- 5) Maps will not be accepted as complete until accompanied by a complete, signed, and dated checklist. If there are extenuating circumstances which render a particular item "not applicable" please provide justification on a separate sheet attached to the checklist.
- 6) One (1) current digital file on CD is required at the time of submission of the checklist and paper maps (preferably in .dwg format), unless the mine map was exclusively hand-drafted.
- 7) **NOTE: Effective January 1, 2014 the checklists for INITIAL MAPS, SEMI-ANNUAL MAPS, and FINAL MAPS have been revised.**

Instructions for Inspectors:

- 1) **INITIAL** MAPS or SEMI-ANNUAL MAPS may not be accepted without a current digital file (CD) and a completed checklist signed and dated by the certifying engineer.
- 2) Only one copy of the CD is needed. Please forward all CD's of INITIAL MAPS and SEMI-ANNUAL MAPS to the Oak Hill Office, attention Chief Engineer. Paper maps or checklist copies of INITIAL MAPS and SEMI-ANNUAL MAPS do not need to be sent at this time.
- 3) In instances where a checklist item is deemed "not applicable" by the certifying engineer you may use your own discretion, consult with your Inspector at Large, or contact one of the engineers in Oak Hill.
- 4) Please verify each checklist item. When you are satisfied that the checklist is complete, please sign and date in the space provided at the bottom of the form and file the checklist with your map office copy.

WEST VIRGINIA OFFICE OF MINERS' HEALTH, SAFETY & TRAINING

CHECKLIST FOR INITIAL AND SEMI-ANNUAL MINE MAP APPROVAL

22A-2-1. The operator of every underground coal mine shall make, or cause to be made, an accurate map of such mine, on a scale of not less than one hundred, and not more than five hundred feet to the inch.

Company / Mine Name: _____

State ID: _____ MSHA ID: _____ Date: _____

Verify with your "check mark" that the following map elements are clearly shown on your map:

- ☐ (1) Name and address of the mine;
- ☐ (2) The scale and orientation (e.g. north arrow) of the map;
- ☐ (3) The property or boundary lines of the mine;
- ☐ (4) The shafts, slopes, drifts, tunnels, entries, rooms, crosscuts and all other excavations and auger and strip mined areas of the coalbed being mined;
- ☐ (5) All drill holes that penetrate the coalbed being mined;
- ☐ (6) Name of the coalbed;
- ☐ (7) Dip of the coalbed;
- ☐ (8) The outcrop of the coalbed within the bounds of the property assigned to the mine;
- ☐ (9) The elevations of tops and bottoms of shafts and slopes, and the floor at the entrance to drift and tunnel openings;
- ☐ (10) The elevation of the floor at intervals of not more than two hundred feet in;
 - (a) At least one entry of each working section, and main and cross entries;
 - (b) The last line of open crosscuts of each working section, and main and cross sections before such sections and main and cross entries are abandoned;
 - (c) Rooms advancing toward or adjacent to property or boundary lines or adjacent mines;

NOTE: The distance between surveyed elevations must not exceed 200 feet in (a), (b), or (c).
Using digital submittal (CD) to supply this information is satisfactory if map scale is $> 1''=200'$.

- ☐ (11) Contour lines passing through whole number elevations of the coalbed being mined, the spacing of such lines not to exceed ten-foot contour intervals, except that a broader spacing of contour lines may be approved for steeply pitching coalbeds by the person authorized so to do under the federal act; and contour lines may be placed on overlays or tracings attached to mine maps;

- ☐ (12) As far as practicable the outline of existing and extracted pillars;

NOTE: Clearly show which sections of the mine were not mapped by physical survey, but were sketched in, and what information was used for their depiction.

- ☐ (13) Entries and air courses with the direction of air flow indicated by arrows;
- ☐ (14) The location of all surface mine ventilation fans, which location may be designated on the mine map by symbols;
- ☐ (15) Escapeways;
- ☐ (16) The known underground workings in the same coalbed on the adjoining properties within one thousand feet of such working and projections;
- ☐ (17) The location of any body of water dammed in the mine or held back in any portion of the mine, but such bodies of water may be shown on overlays or tracings attached to the mine maps used to show contour lines as provided under section 22A-2-1(10);
- ☐ (18) The elevation of any body of water dammed in the mine or held back in any portion of the mine;
- ☐ (19) The abandoned portion or portions of the mine that are permanently sealed from mine ventilation;
- ☐ (20) The location and description of at least two permanent base line points coordinated with the underground and surface mine traverses, and the location and description of at least two permanent elevation bench marks used in connection with establishing or referencing mine elevation surveys;
- ☐ (21) Mines above or below;
- ☐ (22) Water pools above;
- ☐ (23) The location of the principal streams and bodies of water on the surface

NOTE: Show any standing bodies of water, perennial, and intermittent streams.

- ☐ (24) Either producing or abandoned oil and gas wells located within five hundred feet of such mine and any underground area of such mine;
- ☐ (25) The location of all high pressure pipelines, high voltage power lines and principal roads;
- ☐ (26) The location of railroad tracks and public highways leading to the mine, and mine buildings of a permanent nature with identifying names shown;
- ☐ (27) Where the overburden is less than one hundred feet, occupied dwellings; and
- ☐ (28) Such other information as may be required under the federal act or by the Office of Miners' Health, Safety and Training, including the following:
 - ☐ a. Coordinate grid lines in at least one of the following formats:
 - ☐ 1. State Plan Coordinate System (SPCS) NAD 27
 - ☐ 2. State Plan Coordinate System (SPCS) NAD 83
 - ☐ 3. Local mine coordinate system clearly visible.

If a local coordinate system is used show LAT / LONG tick marks to at least the nearest second at each of the four (4) corners of each sheet of the mine map, with the spacing between tick marks not to exceed 34".

- ☐ b. Meridian information (NAD, Zone--see attached map for Zone designation)
- ☐ c. All map features and information required above shall be of sufficient line wt. and text size to be clearly legible for archiving by camera and by scanning.

NOTE: If thin line weights must be used, avoid pastel colors or colors like cyan or yellow.

- ☐ d. **General Location Map index** insert showing LAT/ LONG of mine portal(s), **County, and USGS quadrangle sheet name.**
- ☐ e. State ID# clearly shown on map.
- ☐ f. MSHA ID# clearly shown on map.
- ☐ g. "Opening", "6-month", or "Annual map" stated on map.
- ☐ h. Map certified by RPE or PS(U) licensed in West Virginia

- ☐ i. Date to which extent of mining is certified to be “current”
- ☐ j. Map shows date of latest depicted mining and all mining done to that date.
- ☐ k. Has there ever been a “FINAL MAP” submitted for this mine as a result of a prior company or operator closure and/or re-assignment.

No ☐

Yes ☐

Company Name _____

Date(s) _____

Reason _____

Has there been any production since previous “FINAL MAP”.

Yes ☐

No ☐

- ☐ l. Submittal information (both required):

☐ Hardcopy

☐ Computer disk

- ☐ m. Proposed final mine seals are properly shown as either “wet” or “dry”

- ☐ n. Map bar scale is included

- ☐ o. Map is at a scale of 1”=100’ or 1”= 200’, unless extent of workings make the map size impractical (more than 4 E-size sheets). NOTE: It is recognized that Chapter 22A-2-1 allows 1”=500’.

- ☐ p. Include a separate .DWG AutoCAD file detailing only the perimeter (footprint) of the mine, which should include all parts of the full mine.

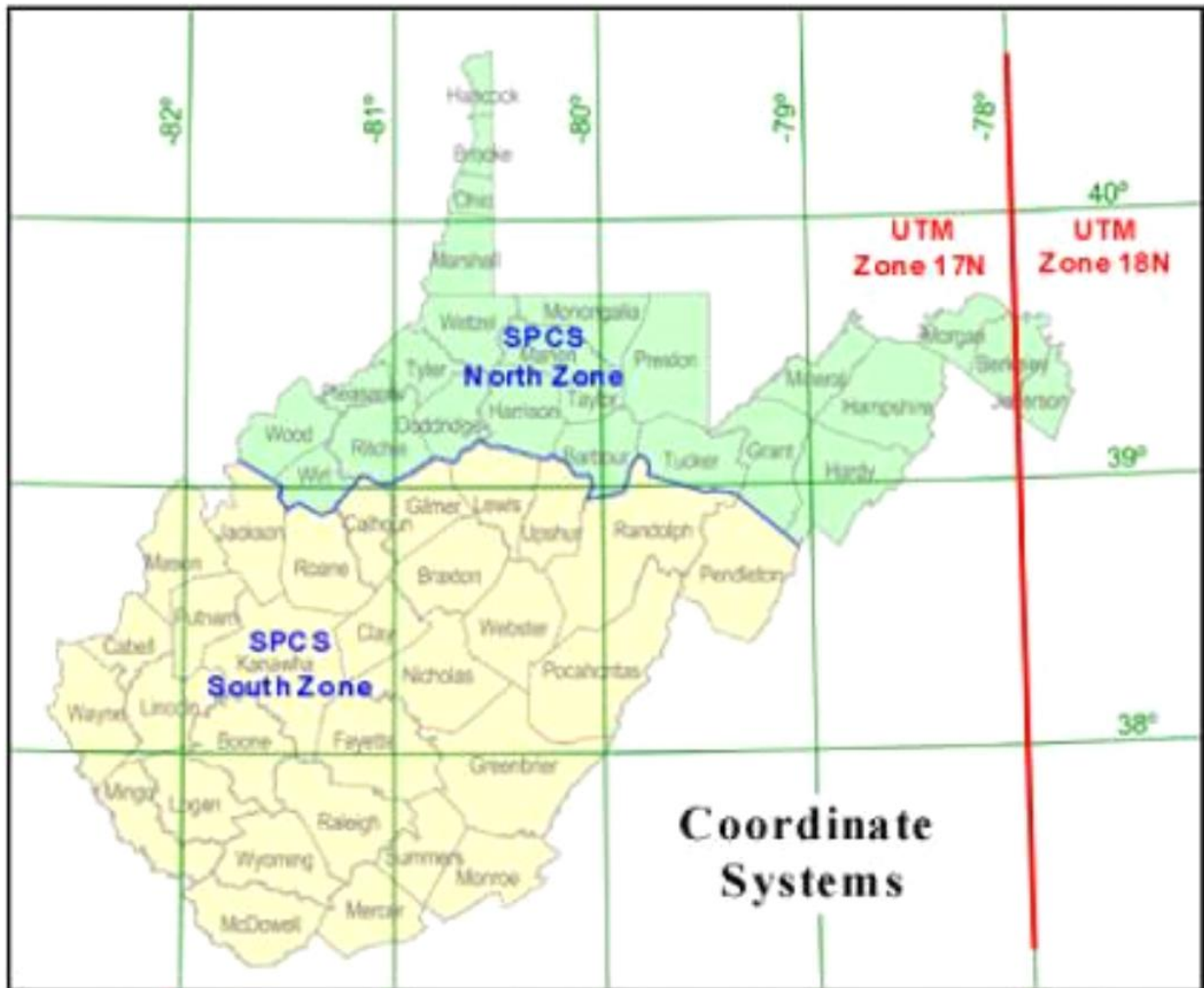
☐ (29) Engineer sign off 1 _____ Date: _____

☐ (30) Inspector sign off 2 _____ Date: _____

¹ This is so we know who completed the checklist. This is not a re-certification of the certified mine map being submitted.

² This is the inspector at the Regional Office who has compared the signed checklist and map for completeness.

1991. West Virginia Association of Land Surveyors.
"West Virginia Land Surveyors Laws and Regulations."
The Michie Company, Charlottesville, VA.



Location Map for SPCS and UTM “Zones”