

Annex A

TITLE 25. ENVIRONMENTAL PROTECTION

PART I. DEPARTMENT OF ENVIRONMENTAL PROTECTION

Subpart C. PROTECTION OF NATURAL RESOURCES

ARTICLE I. LAND RESOURCES

CHAPTER 86. SURFACE AND UNDERGROUND COAL MINING:
GENERAL

Subchapter A. GENERAL PROVISIONS

§ 86.1. Definitions.

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The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

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Major permit revision--A revision to a coal mining permit that requires public notice.

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Permit application fee--A nonrefundable filing fee due at the time of submission of an application. The permit application fee is required for an application to be considered complete.

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§ 86.3. Use of Coal Refuse Disposal Control Fund.

(a) Moneys, including permit application fees, fines, bond forfeitures and civil penalties deposited in the Coal Refuse Disposal Control Fund may be used by the Department for the elimination of pollution, the abatement of health and safety hazards and nuisances, reclamation and other related uses including conducting scientific studies and research as authorized under the Coal Refuse Disposal Control Act (52 P. S. § § 30.51—30.66).

(b) Permit application fees required under this chapter for permit applications submitted under the Coal Refuse Disposal Control Act will be used by the Department to cover its costs to review applications.

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Subchapter B. PERMITS

GENERAL REQUIREMENTS FOR PERMITS AND PERMIT APPLICATIONS

§ 86.17. Permit and reclamation fees.

- (a) A permit application for coal mining activities shall be accompanied by a [check for \$250 payable to the “Commonwealth of Pennsylvania.”] payment to the “Commonwealth of Pennsylvania” for the amount of the permit application fee provided in the fee schedule in subsection (b) which corresponds to the type of application being submitted. For purposes of this subsection, permit applications include the applications in subsection (b).
- (b) [A permit application for a coal preparation plant shall be accompanied by a check for \$250 payable to the “Commonwealth of Pennsylvania.”] The permit application fee schedule is as follows:

(1) <u>New Permits</u>	Fee
<u>Surface Mining Permit</u>	<u>\$3,250</u>
<u>Coal Refuse Reprocessing Permit</u>	<u>\$1,900</u>
<u>Coal Refuse Disposal Permit</u>	<u>\$3,250</u>
<u>Coal Preparation Plant Permit</u>	<u>\$1,650</u>
<u>Anthracite Underground Mining Permit</u>	<u>\$1,650</u>
<u>Bituminous Underground Mining Permit</u>	<u>\$5,750</u>
<u>Post Mining Activity Permit</u>	<u>\$300</u>
<u>Incidental Extraction Permit</u>	<u>\$1,650</u>

(2) <u>Major Permit Revisions</u>	Fee
<u>Surface Mining Permit</u>	<u>\$300</u>
<u>Coal Refuse Reprocessing Permit</u>	<u>\$300</u>
<u>Anthracite Coal Refuse Disposal Permit</u>	<u>\$300</u>
<u>Bituminous Coal Refuse Disposal Permit</u>	<u>\$1,250</u>
<u>Anthracite Coal Preparation Plant Permit</u>	<u>\$300</u>
<u>Bituminous Coal Preparation Plant Permit</u>	<u>\$1,250</u>
<u>Anthracite Coal Underground Mining Permit</u>	<u>\$300</u>
<u>Bituminous Coal Underground Mining Permit</u>	<u>\$1,250</u>

<u>(3) Permit Transfer</u>	<u>Fee</u>
<u>All</u>	<u>\$250</u>
<u>(4) Permit Renewal</u>	<u>Fee</u>
<u>All</u>	<u>\$250</u>
<u>(5) Other Actions</u>	<u>Fee</u>
<u>Auger Safety Permit</u>	<u>\$200</u>
<u>Bond Liability Revision</u>	<u>\$100</u>

(c) [A renewal application, whether the site has not yet been activated or where coal is being extracted, shall be accompanied by a check for \$250 payable to the “Commonwealth of Pennsylvania.” A renewal application for reclamation activities requires no application fee.] For surface coal mine facilities, coal refuse reprocessing facilities, and coal mining activity facilities, except for bituminous underground mines, permit application fees collected will be deposited in the Surface Mining Conservation and Reclamation Fund. Permit application fees collected for bituminous underground mines will be deposited in the Bituminous Mine Subsidence and Land Reclamation Fund. For coal refuse disposal facilities, permit application fees collected will be deposited in the Coal Refuse Disposal Control Fund. Permit application fees required under this section will be used by the Department to cover its costs to review permit applications.

(d) [A permit application for coal refuse disposal activities shall be accompanied by a check for \$500 plus \$10 per acre for acreage in excess of 50 acres payable to the “Commonwealth of Pennsylvania.”] The Department will review the adequacy of the permit application fees in this section at least once every 3 years and provide a written report to the EQB. The report will identify any disparity between the amount of program income generated by the fees and the costs to administer these programs and contain recommendations to increase fees to eliminate the disparity, including recommendations for regulatory amendments to increase program fees.

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