

## **Other State's Coal Permit Fees**

### **WV (2011)**

\$2,000 Prospecting

\$3,500 Permit Fee

\$3,000 Active permit Renewal

\$2,000 Significant Revision

\$550 Extension of Area

\$1,500 Transfer

\$2,000 Request for inactive status

### **Illinois (2002)**

#### **Section 1777.17 Permit Fees**

a) After a permit application under 62 Ill. Adm. Code 1772 through 1785 has been deemed approvable, but before a permit is issued in accordance with 62 Ill. Adm. Code 1773.19, the Department shall notify the applicant in writing of the amount of fee required for the permit.

b) Permit fees are payable at the time of permit issuance and on the anniversary date of the permit. Those permits for which fees are not received within 30 days after the anniversary date are subject to the provisions of 62 Ill. Adm. Code 1840 through 1845.

c) Permit fees are payable as a lump sum or in equal annual increments for the permit term and shall be determined as follows:

1) The permit fee for areas to be surface mined is \$125 per bonded acre;

2) For all other areas within the permit area, for both surface and underground mines, the fee will be \$5 per acre for each year the bond is in force.

d) If permit fees are submitted within 180 days after the date of the Department's written findings approving a permit application, such fees may be paid in accordance with subsection (c). Permit fees which are not submitted within 180 days after the date of the Department's written findings approving a permit application shall be paid as a lump sum.

e) Failure to submit permit fees within 1 year after notification of the required fee amount shall result in the application being deemed null and void. The Department may issue an extension to this time limit if the applicant can demonstrate just cause (e.g., extended periods of illness, extreme inclement weather, acts of civil unrest, or other emergency situations) for doing so.

## **Ohio**

### **Division Program Funding**

The Division of Mineral Resources Management receives funds from federal government grants, taxes on coal and other minerals produced in Ohio (ORC 5749.02), permit acreage fees, permit application fees, annual permit fees and very limited funds from the state's general fund.

The coal Regulatory program receives 50 percent of its funding through a severance tax paid by the coal operators on every ton of coal produced in Ohio. The other 50 percent comes from federal grants administered by OSM.

## **Virginia (2003)**

E. Each application for a coal surface mining permit issued under this chapter shall be accompanied by a fee of \$26 per acre for the area of land to be affected by the total operation for which plans have been submitted. An anniversary payment of \$13 per acre for areas disturbed under the permit shall be payable annually on the anniversary date of the permit. All fees collected under the provisions of this chapter shall be paid into a special fund of the Department to be used for the administration of the coal surface mining regulatory program and are hereby appropriated for that purpose.

## **Kentucky (2011)**

(11) A basic fee set by administrative regulation, and bearing a reasonable relationship to the cost of processing the permit application but not to exceed two thousand five hundred dollars (\$2,500), plus a fee set by administrative regulation but not to exceed seventy-five dollars (\$75), for each acre or fraction thereof of the area of land to be affected by the operation, shall be paid before the permit required in this section shall be issued; provided that if the cabinet approves an incremental bonding plan submitted by the applicant, the acreage fees may be paid in increments and at times corresponding to the approved plan.

(13) Any valid permit issued pursuant to this chapter shall carry with it the right of successive renewal upon expiration with respect to areas within the boundaries of the existing permit. An applicant for renewal of a permit shall pay a basic fee set by regulation, not to exceed seven hundred fifty dollars (\$750).

### **Application**

(17) Fees. On and after June 17, 1978, as provided by KRS 350.060, the application shall be accompanied by a cashier's check or money order payable to the Kentucky State Treasurer in the amount of \$250 plus fifty (50) dollars for each acre or fraction thereof of the area of land to be affected by the operation. No permit application shall be processed unless such fees have been paid.

### **Revisions**

(b) Fees. The operator shall pay in the manner prescribed in Section 4(17) of this administrative regulation, a basic fee of \$250 plus a fee of fifty (50) dollars for each acre or fraction of acre of increased area requested on and after June 17, 1978, as provided in KRS 350.070.

## **Indiana**

Half of the 3.2 million cost of the regulatory program is provided through Title V federal grants through the Office of Surface Mining on a matching basis. The other half is provided through fees levied on coal production. Maintaining adequate fees to support the mandated activities of the agency has been a constant concern in recent years.

## **Maryland**

D. Each application for a surface coal mining and reclamation permit pursuant to the Regulatory Program shall be accompanied by a \$10 fee.

## **Alabama (2008)**

### **880X8B.**

**07 Permits Fees.** Each application for a permit, and each application for a permit revision, renewal or transfer and each application for a coal exploration permit shall be accompanied by a nonrefundable fee consisting of a basic fee and an acreage fee. Applications for revisions to or transfers of a permit shall not require an additional acreage fee if no acreage is added to the increment upon which operations are taking place. The acreage fee shall be Thirty-five Dollars (35.00) per acre for each acre in a permit. This acreage fee shall be paid prior to the initiation of operations on the permit or on an increment if increments are used. The acreage fee shall not be paid for acreage in an increment on which the fee has been previously paid, except that in the case of renewals, this fee shall be paid on all bonded acreage covered by the renewal.

The basic fee for a permit application is Five Thousand Dollars (\$5,000.00); the basic fee for a coal exploration permit application is Two Thousand Dollars (\$2,000.00); the basic fee for a permit renewal application is One Thousand Dollars (\$1,000.00); the basic fee for a permit transfer application is Two Hundred Dollars (\$200.00); and the basic fee for a permit revision application involving only an incidental boundary revision is Five Hundred Dollars (\$500.00), the basic fee for a to the mining and reclamation plan is One Thousand Five Hundred Dollars (\$1,500.00) and the basic fee for a permit revision application involving a significant alteration to the mining and reclamation plan is Three Thousand Dollars (\$3,000.00).

The above fee shall be deposited to the Alabama Surface Mining Fund, to be expended by the Commission for the purposes of reviewing, administering, and enforcing the permit.

## **Texas**

### **Sec. 134.054. APPLICATION FEES.**

(a) An application for a surface mining permit or for renewal or revision of a surface mining permit must be accompanied by an application fee determined by the commission in accordance with a published fee schedule. The commission shall base the application fee as nearly as possible on the actual or anticipated cost of reviewing the application.

(b) The application fee may not be less than:

- (1) \$5,000 for an initial surface mining permit;
- (2) \$3,000 for renewal of a surface mining permit; or
- (3) \$500 for revision of a surface mining permit.

(c) The initial application fee and the application fee for renewal of a surface mining permit may be paid in equal annual installments during the term of the permit.

Added by Acts 1995, 74th Leg., ch. 76, Sec. 12.02(a), eff. Sept. 1, 1995.

### **Sec. 134.055. ANNUAL FEES.**

(a) In addition to the application fees required by Section [134.054](#), each permit holder shall pay to the commission the following annual fees:

- (1) a fee for each acre of land in the permit area on which the permit holder actually conducted operations for removing coal during the year;
- (2) a fee for each acre of land in the bonded permit area on December 31 of the year; and
- (3) a fee for the permit if the permit was in effect on December 31 of the year.

(b) A fee under Subsection (a) is due not later than March 15 of the year following the year for which the fee was imposed.

(c) The commission shall determine the amount of each fee under Subsection (a).

Pending Proposal: Remove \$84/acre mineral extraction fee and replace it with \$13.05 (increased from \$12 per acre) per-acre bonded area. The permit fee would be increased from \$6,540 to \$6,600.

### **Wyoming**

A filing fee of \$100.00 (\$200.00 for amendments) plus \$10.00 for each acre in the request permit (amendment) area. For any single permit (amendment) the maximum fee shall not exceed \$2,000.00.

### **North Dakota**

A nonrefundable filing fee of five hundred dollars, plus ten dollars for each acre [.40 hectare] included in the permit application.

### **Missouri**

(6) Permit Fees. Each application for a surface coal mining and reclamation permit pursuant to a regulatory program shall be accompanied by a fee.

(A) For new surface coal mining permits there shall be an initial fee of one hundred dollars (\$100), plus an acreage fee of one hundred dollars (\$100) for each acre or fraction of an acre of the permit area. For multiple year permits, the acreage fee shall be paid annually by dividing the total acres in the permit area by the number of years covered by the permit and multiplying that number by that year's acreage fee, and, after the first year, there shall be an annual fee of one hundred dollars (\$100). For the first year of any new permit, the first year's fees shall be paid with the permit application. Afterwards and until the operator obtains the final liability release on all lands covered by the permit, the annual fee and acreage fee shall be paid as a condition to and prior to operating for that permit year. The acreage fee shall be paid only once on any given area, except in the case of a revocation; an allowance shall be given for any acreage fee previously paid for a permit under sections 444.500—444.755, RSMo, when the land was not disturbed under the permit.

(B) For permit renewal, there shall be a basic fee of one hundred dollars (\$100) for each year of renewal, to be paid annually.

(C) For permit revision, there shall be a basic application fee of one hundred dollars (\$100).

(D) For application of a successor to a permit, there shall be a basic fee of one hundred dollars (\$100).

(E) For coal exploration permits there shall be an application fee of one hundred dollars

### **Oklahoma**

#### **460:20-21-6. Permit fees**

An application for a surface coal mining and reclamation permit shall be accompanied by a fee determined by the Department. The fee may be less than, but shall not exceed, the actual or anticipated cost of reviewing, administering, and enforcing the permit.

### **Section 931**

A. All operators of coal mining operations shall pay to the Department of Mines a fee of seven and one-half cents (\$.075) per ton of coal produced.

## **Arkansas**

### **SECTION 771.25 PERMIT FEES**

#### **12-05-97**

##### **(a) General Requirements.**

(1) The application for a surface coal mining and reclamation permit pursuant to the State program shall be accompanied by a \$500 permit review fee. This permit review fee shall cover review of the application, and all revisions submitted by the applicant during the permit review process.

(2) The request for a coal exploration approval for the removal of greater than 250 tons pursuant to the State program shall be accompanied by a \$250 request review fee and a \$250 administrative and enforcement fee. These fees shall cover the necessary review of the request and the administrative and enforcement duties required by the State program.

(b) Prior to issuance of the permit and on the anniversary date of the permit in each subsequent year, the applicant shall submit to the Department an annual administration and enforcement fee.

(1) The administration and enforcement fee shall be:

(i) Equal to \$600.00; and

(ii) Payable through the entire life of the permit.

(2) The administration and enforcement fee may be paid out in two (2) equal installments of \$300.00 each. If the applicant chooses to pay the administration and enforcement fee in installments, he or she shall:

(i) Submit a written request to the Director, prior to issuance of the permit, stating that he or she wishes to make such payments; and

(ii) Enter into an agreement with the Department stating that he or she shall:

(A) Make the first payment of \$300.00 prior to issuance of the permit; and

(B) Make the final payment of \$300.00 within six (6) months from the date of issuance of the permit.

## **Louisiana**

### **§1909. Permit Fees**

A. Each application for a surface coal mining and reclamation permit pursuant to a regulatory program shall be accompanied by a fee determined by the office. Such fee may be less than, but shall not exceed, the actual or anticipated cost of reviewing, administering and enforcing the permit. The office may develop procedures to allow the fee to be paid over the term of the permit.

## **Mississippi**

### **§ 1909. Permit Fees**

(a) The Commission shall assess and collect a permit fee for reviewing the permit application and administering and enforcing a surface coal mining and reclamation permit. The Commission may set permit fees for the transfer, modification or reissuance of a surface coal mining and reclamation permit. These fees shall be set by order of the Commission in accordance with § 53-9-28.

(b) The Commission may also establish a permit fee for the issuance, reissuance, transfer or modification of a coal exploration permit and a reasonable fee for a copy of a transcript of a

formal hearing held under these regulations. These fees shall be set by order of the Commission in accordance with § 53-9-28.

## **Utah**

118. Filing Fee. Each permit application to conduct coal mining and reclamation operations pursuant to the State Program will be accompanied by a fee of \$5.00.

## **New Mexico**

### **19.8.5.506 PERMIT AND EXPLORATION FEES:**

Each application, pursuant to the act and 19.8 NMAC Parts 1-35 shall be accompanied by a fee determined under the following schedule:

**A.** Original permit filing fee shall be \$2,500 plus \$25.00 per acre for estimated area to be disturbed during the first year of mining.

**B.** Commencing the second year the annual permit fee shall be \$2,500. In addition, there shall be an acreage fee of \$25.00 per acre of disturbed permit area for which the bond has not been released, provided that \$15,000 per year acreage fee is the maximum charge per year for all disturbance. The maximum annual fee will therefore be:

Permit fee = \$2,500

Acreage fee = \$15,000

Max. Total = \$17,500

The annual fee is to be submitted with the annual report.

**C.** Pending further study, the initial annual acreage fee shall not be collected for acres classified as disturbed, when disturbance is due to subsidence associated with underground mining, unless it is determined by the director that such subsidence causes significant environmental damage to the surrounding area.

**D.** The fee for transferring a permit shall be \$1,000.

**E.** For revision applications expanding the size of the permit the fee shall be \$4,000 plus \$25.00 per acre for the estimated area to be disturbed during the first year of mining in the expansion area. For all other revision applications the fee shall be \$4,000.

**F.** The fee for filing a notice of intention to explore under 19.8.6.601 NMAC shall be \$100.

**G.** The fee for filing an application for approval under 19.8.6.602 NMAC shall be \$200.

## **Colorado**

### **2.01.6 Permit Fees.**

(1) Each application for a surface coal mining and reclamation permit pursuant to these Rules shall be accompanied by a fee of twenty-five dollars, plus ten dollars for each acre of affected land.

(2) The permit fee shall not exceed two thousand five hundred dollars and shall not exceed the actual or anticipated cost of reviewing, administering, and enforcing such permit issued pursuant to these Rules.

(3) The cost of the fee may be paid over the term of the permit. The incremental permit fee payment shall not be less than twenty percent of the total permit fee.

(4) All fees collected under this Rule shall be deposited in the general fund.