



## Ohio Administrative Code

### Rule 1501:13-4-01 General contents requirements for permit applications.

Effective: October 28, 2010

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#### (A) Responsibilities.

(1) Persons seeking to engage in coal mining and reclamation operations, including underground mining operations, shall submit an application for and obtain a permit for those operations in accordance with Chapters 1501:13-4, 1501:13-5, and 1501:13-6 of the Administrative Code. Persons seeking to conduct coal exploration operations shall comply with rule 1501:13-4-02 of the Administrative Code.

(2) The chief shall review each permit application, renewal, revision and notice of intention to explore, shall approve or disapprove each permit application, renewal, revision or notice of intention to explore, and shall issue, condition, suspend, or revoke exploration permits, permits, renewals, or revised permits.

(B) Coordination with requirements under other laws. The chief shall, to avoid duplication, provide for the coordination of review and issuance of permits for coal mining and reclamation operations with any other federal or state permit process applicable to these operations including, at a minimum, the applicable requirements of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.), the Fish and Wildlife Coordination Act as amended (16 U.S.C. 661 et seq.), the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470 et seq.), the Migratory Bird Treaty Act of 1918, as amended (16 U.S.C. 703 et seq.), and the Bald and Golden Eagle Protection Act, as amended (16 U.S.C. 668 et seq.) Where there are involved federal or Indian lands covered by the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.), the chief shall provide for the coordination of review and issuance of permits for coal mining and reclamation operations with any permit process applicable to these operations under the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.)

(C) Compliance with permits. All persons shall conduct coal mining and reclamation operations under permits issued pursuant to these rules, and shall comply with the terms and conditions of the



permit and the requirements of Chapter 1513. of the Revised Code.

(D) Permit applications - general requirements for format and contents.

(1) Applications for permits to conduct coal mining and reclamation operations shall be filed in the format required by the chief. The application shall be complete and include all the applicable information required under these rules.

(2) Information set forth in the application shall be current, shall be presented clearly and concisely, and shall be supported by appropriate references to technical and other written material available to the chief.

(a) All technical data submitted in the application shall be accompanied by:

(i) Names of persons or organizations which collected and analyzed such data;

(ii) Dates of the collection and analyses; and

(iii) Descriptions of methodology used to collect and analyze the data.

(b) Technical analyses shall be planned by or under the direction of a professional qualified in the subject to be analyzed.

(c) The application shall state the name, address and position of officials of each private or academic research organization or governmental agency consulted by the applicant in preparation of the application for information on land uses, soils, geology, vegetation, fish and wildlife, water quantity and quality, air quality, and archeological, cultural and historic features.

(3) Maps and plans: general requirements.

(a) Maps submitted with applications shall be presented in a consolidated format, to the extent possible, and shall include all the types of information that are set forth on topographic maps of the United States geological survey of the 1:24,000 scale series.



(b) All maps and plans submitted with the application shall distinguish among each of the phases during which surface coal mining operations were or will be conducted at any place within the life of operations. At a minimum, distinctions shall be clearly shown among those portions of the life of operations in which surface coal mining operations occurred:

(i) Prior to August 3, 1977;

(ii) After August 3, 1977, and prior to either:

(a) May 3, 1978; or

(b) In the case of an applicant or operator that obtained a small operator's exemption in accordance with 30 CFR 710.12, January 1, 1979;

(iii) After May 3, 1978 (or January 1, 1979, for operators that obtained a small operator's exemption), and prior to August 16, 1982; and

(iv) After the estimated date of issuance of a permit by the chief under Ohio's approved regulatory program.

(E) Verification of application. Applications for permits, revisions, renewals or transfers, sales or assignments of permit rights shall be verified under oath, by a responsible official of the applicant, that the information contained in the application is true and correct to the best of the official's information and belief.

(F) For dates of federal rules and federal laws referenced in this rule, see rule 1501:13-1-14 of the Administrative Code.