

MINING PERMIT MODIFICATION CHECKLIST

As provided in G.S. 74-52 of The Mining Act of 1971, a mining permit may be modified to change the existing permit conditions, to change the permitted mining operation, to revise the reclamation plan, or to add additional, contiguous acreage to the existing permit.

The following items are required to modify a mining permit:

- 1) The appropriate non-refundable mining permit modification processing fee must be submitted to the Division of Energy, Mineral and Land Resources' Mining Program Central Office (see fee schedule in permit application form).

One (1) original and five (5) copies of the following items are required:

- 2) A letter from the permittee describing the modification request. The permittee must complete a new application form for this additional acreage, and If the modification involves acreage outside and contiguous to the existing permitted area, including the Notification of Adjoining Landowners Section (which includes notification of new adjoining owners of record and the local government). The permittee must also indicate how this modification will not invoke any of the 7 denial criteria as set forth in G.S. 74-51 of the Act.
- 3) An updated mine map at the appropriate scale identifying the acreage to be modified or added. If acreage is to be added to the existing permit, all new adjoining landowners must be clearly located on the mine map (in order to verify proper notification) and all items listed under section B. Maps in the application form must be addressed on the map for the area to be modified. Erosion and sedimentation control must be addressed for any disturbed acreage. Supporting design calculations and construction details must be submitted for any proposed erosion and sedimentation control measure.

The original of the following item is required:

- 4) If the modification involves newly affected acreage, the reclamation bond must be evaluated to verify that it sufficiently covers the proposed affected acreage. If the bond must be increased, the modification cannot be approved until the bond has been increased accordingly (see NCAC 5B.0003). The reclamation bond, whether a surety bond, assignment of savings account, or a letter of credit, must be completed on one of the Department's standard security forms.

For more information, contact the Land Quality Section Regional Office servicing your area, the Raleigh Central Office at (919) 707-9220 or at <https://deq.nc.gov/about/divisions/energy-mineral-land-resources/energy-mineral-land-permits/mining-program>