

## Surface Coal Mining Permits

### NEWSPAPER PUBLICATION AND NOTIFICATION FOR PROPOSED SURFACE COAL MINING PERMIT RENEWAL

W.S. §35-11-406(j) - Second Publication

Upon notification by the Land Quality Division the applicant shall commence the following:

1. A copy of the application needs to be filed with the Office of the County Clerk in the counties in which the proposed permit area is located no later than the first day of publication. **THIS COPY SHOULD BE REMOVED FROM THE COUNTY CLERK'S OFFICE AFTER PERMIT APPROVAL. Immediately following filing, submit an affidavit of filing from the Office of the County Clerk to the Land Quality Division.**
2. Publish a notice in a newspaper of general circulation in the locality of the proposed operation once a week for four (4) consecutive weeks (see sample format below) and if necessary, provide a detailed description for any public road within 100' of the permit area or any public road that will be relocated.
3. Mail within five (5) days after the first publication as required in W.S. §35-11-406(j) (as amended in 1995), an application mine plan map to the Wyoming Oil and Gas Conservation Commission, PO Box 2640, Casper, WY 82602 or 2211 King Blvd, Casper, WY 82604.
4. As soon as possible and several weeks before the end of the public comment period, submit a sworn statement of mailing to the Land Quality Division. Please use the example affidavit of mailing which is attached.
5. On completion of publication submit a sworn affidavit from the newspaper and a copy of the notice to the Land Quality Division.

## SAMPLE FORMAT FOR SURFACE COAL MINING PERMIT RENEWALS

### Public Notice

The (Company Name) of (Main Company Location) has applied for a coal mining permit renewal from the Land Quality Division of the Department of Environmental Quality for the State of Wyoming. The coal mining permit area will be located in: (legal description of permit area - Section, Township, Range, County Name) County, Wyoming. (The area is) approximately (Locate the area relative to the closest town and a natural landmark, i.e.: a water source or a physical attribute of the area - ex: road, cliff, mountain, canyon, gorge, desert, etc.). This area can be found on the \_\_\_\_\_ USGS quadrangle map(s). The original permit to mine was granted on (month and year) and is estimated to continue until (year). The land, after mining, will be returned to a (proposed use). Information regarding the proposed mining operation and reclamation procedures may be reviewed in the Office of the Land Quality Division of the Department of Environmental Quality in Cheyenne and (Lander or Sheridan, Wyoming) or the (County Name) County Clerk's Office \_\_\_\_\_, Wyoming. Written objections to the proposed mining operation must be received by the Administrator of the Land Quality Division, Department of Environmental Quality, 200 W. 17<sup>th</sup> Street, Suite 10, Cheyenne, WY 82002, before the close of business (Date 30 days after last publication). The Director may hold an informal conference if requested, hear the complaint and take action on the application in accordance with the Department's Rules of Practice and Procedure. The complainants shall have a right of appeal to the Environmental Quality Council where the complaint will be heard a second time. A conference shall be held if the Director determines that the nature of the complaint or the position of the complainants indicates that an attempt to informally resolve the disputes is preferable to a contested case proceeding. An informal conference or a public hearing shall be held within twenty (20) days after the final date for filing objections unless a different period is stipulated to by the parties. The Council or Director shall publish notice of the time, date and location of the hearing or conference in a newspaper of general circulation in the locality of the proposed operation once a week for two (2) consecutive weeks immediately prior to the hearing or conference. The hearing would be conducted as a contested case in accordance with the Wyoming Administrative Procedure Act (W.S. §16-3-101 through §16-3-115), and the right of judicial review would be afforded as provided in that act. The Wyoming Oil and Gas Conservation Commission will be mailed a copy of the application mine plan map as given in W.S. §35-11-406(j).

BEFORE THE DEPARTMENT OF ENVIRONMENTAL QUALITY  
LAND QUALITY DIVISION

IN THE MATTER OF THE (TYPE OF PERMIT) )  
PERMIT APPLICATION OF (ENTITY), )  
TFN \_\_\_\_\_ )

**AFFIDAVIT OF (NAME OF AFFIANT)  
OF NOTICE**

I, (NAME), after being duly sworn upon my oath, deposes and states as follows:

1. I am appointed to the office of (POSITION), for (COMPANY). I am submitting this affidavit to comply with the sworn statement requirement in W.S. §35-11-406(j). In my capacity as (POSITION), I am responsible for ensuring that (COMPANY NAME) has complied with the notice requirements in W.S. §35-11-406(j) for the above-captioned permit application. This application is for a surface coal mine permit renewal.
2. On (DATE), (COMPANY NAME) received notice from the Department of Environmental Quality, Land Quality Division that it has determined our application is complete and suitable for final publication.
3. On (DATE), (NAME OF NEWSPAPER) printed the first notice in the required four week sequence for final publication of this application. On (DATE), (COMPANY NAME) mailed a copy of the application mining plan map to the Wyoming Oil and Gas Conservation Commission.

DATED \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
(TYPE NAME AND TITLE HERE)

STATE OF WYOMING )  
 )ss  
COUNTY OF \_\_\_\_\_ )

Subscribed, sworn to and acknowledged before me by \_\_\_\_\_  
on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission expires: \_\_\_\_\_