

have] HAS conducted at the site of the proposed operation. The [plan] APPLICATION shall include data such as the nature and depth of the overburden, the thickness of the coal seam, a complete analysis of the coal seam AND SOIL SAMPLES, the crop line AND STRIKE AND DIP of the coal seam, and the location of the test boring holes[.];

(4) A DETERMINATION OF THE PROBABLE HYDROLOGIC CONSEQUENCES OF THE MINING AND RECLAMATION OPERATIONS UPON SURFACE AND GROUND WATERS BOTH ON AND OFF THE PERMIT AREA. TO THE EXTENT THAT FEDERAL FUNDS ARE AVAILABLE, THE COST OF ANALYSIS OF TEST BORINGS OR CORE SAMPLINGS AND THE DETERMINATION OF PROBABLE HYDROLOGIC CONSEQUENCES SHALL BE ASSUMED BY THE DEPARTMENT UPON THE REQUEST OF AN OPERATOR IF THE DEPARTMENT DETERMINES THAT THE PROJECTED TOTAL ANNUAL PRODUCTION BY THE OPERATOR AT ALL PERMITS IS LESS THAN 100,000 TONS. [The information pertaining to test borings, depth of the overburden, thickness of the coal seam, analysis of the coal seam, crop line of the coal seam, and location of the test boring holes is confidential information not for public record.] INFORMATION PERTAINING TO THE COAL SEAM, TEST BORINGS, CORE SAMPLES AND SOIL SAMPLES SHALL BE AVAILABLE TO THE PUBLIC EXCEPT THAT INFORMATION AS TO THE CHEMICAL AND PHYSICAL PROPERTIES OF THE COAL SEAM OTHER THAN ITS POTENTIAL TOXICITY SHALL BE CONFIDENTIAL.

(5) A CERTIFICATE STATING THAT THE APPLICANT HAS A LIABILITY INSURANCE POLICY FOR THE OPERATION FOR WHICH THE PERMIT IS SOUGHT IN SUCH AMOUNT AS THE DEPARTMENT DETERMINES TO BE NECESSARY TO COMPENSATE ANY PERSON INJURED OR DAMAGED BY THE OPERATION.

(6) A PERMIT FEE OF \$10.

(d) In addition to the provisions of subsection (c) of this section, each application for a permit shall be accompanied by a detailed mining and reclamation plan showing AT A MINIMUM, THE METHOD FOR CONSTRUCTION OF ALL HAUL ROADS, THE METHOD FOR REMOVING AND STOCKPILING TOPSOIL MATERIAL, THE METHOD OF MINING, A PLAN FOR BLASTING, A PLAN FOR CONTROL OF DRAINAGE FROM THE SITE, A PLAN FOR AND METHOD OF BACKFILLING AND REGRADING, AND A PLAN FOR REVEGETATION [the manner, time, and distance for backfilling, drainage, planting, and general reclamation] of the area affected. The Committee shall review the reclamation plan. The Committee shall hold a public hearing on the proposed land reclamation plan AT THE SAME TIME AS THE DEPARTMENT HOLDS A PUBLIC HEARING ON THE PERMIT APPLICATION. A RECORD OF THE HEARINGS SHALL BE MADE AND SHALL BE AVAILABLE TO THE PUBLIC. THE HEARINGS SHALL BE AT least 30 but not more than 60 days after THE DEPARTMENT PROVIDES public notice of the [hearing] HEARINGS. Notice shall appear in a newspaper of general circulation in the jurisdiction affected. MEMBERS OF THE PUBLIC SHALL BE PROVIDED AN OPPORTUNITY TO COMMENT ON THE APPLICATION EITHER ORALLY OR IN WRITING UNTIL AT LEAST 30 DAYS AFTER PUBLIC NOTICE OF THE HEARING AND COPIES OF THE