

**OHIO DEPARTMENT OF NATURAL RESOURCES
DIVISION OF RECLAMATION**

****POLICY/PROCEDURE DIRECTIVE****

Permitting 95-1

(Replaces PPD Permitting 92-2)

Subject: Permit to Install (PTI) Applications for Coal Waste Treatment or Disposal Facilities

Effective: April 20, 1995

Purpose: To clarify information concerning the Division of Reclamation-Ohio Environmental Protection Agency modified Memorandum of Agreement on PTI application review for coal waste treatment or disposal facilities.

This policy/procedure directive replaces Permitting 92-2.

As the designated lead agency, DOR is now responsible for processing and review of PTI applications for coal waste treatment or disposal facilities. Coal waste is defined by O.A.C. 1501:13-1-02 (V) as "earth materials which are wasted or otherwise separated from the product coal after physical or chemical processing, cleaning, or concentrating of coal" (i.e. dry or slurry). Per the agreement, a coal waste PTI will be required on all coal waste disposal plans, unless disposal is to occur within the mined out area of an active coal mine permit operation. Please note an Attachment 28 is still required for all coal waste disposal plans. Coal combustion waste and other types of non-coal waste are not included in this definition. This procedure does not include any changes to the air pollution, associated waste water treatment systems, or NPDES/NSPS application processes, which remain under OEPA's authority. The applicant may find it useful to submit a copy of the approved/pending NDPES/NSPS application as reference information for individual coal waste PTI application items.

At the time of submittal to DOR of an Attachment 28 (Coal Waste Disposal Plan) for coal waste disposal in a new mining application or Application to Revise a Permit, when disposal is to occur outside the mined out area of the pit, the operator should also submit a PTI application. The Attachment 28 has been revised to request this (copy attached).

A fee will be requested by the OEPA at the time of its approval of the PTI application following the coordinated review method outlined in the PTI application (copy attached). A check should be made payable to the "Treasurer of the State of Ohio" for the calculated amount.

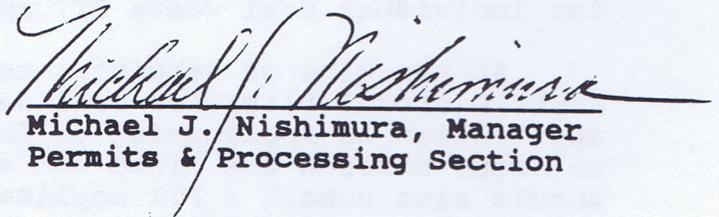
The correct PTI application is Form 4309 (revised 10/93). No other variation of the PTI application should be used for coal waste disposal. The PTI application is accompanied by a one-page "general instructions" and an OEPA Attachment I, which should be of assistance to the applicant when preparing the form for submittal. For the most part, information from the OEPA Attachment I is currently requested in the PTI application, so it is not necessary to submit an Attachment I. However, it is important the applicant ensures all required information from the Attachment I is submitted.

General guidelines to further assist the applicant have been prepared by DOR and accompany this PPD. Please refer to them as you prepare an application for submittal.

Please note, information contained in the coal mining and reclamation application may be used to respond to PTI items, however, since the OEPA does not receive a copy of the mining application, the information must be submitted as addenda to the appropriate PTI item (merely referencing data will not be acceptable).

Once DOR has reviewed the PTI, revisions will be requested by the normal review process. When DOR believes the PTI application is approvable, the applicant will be notified to submit a total of five (5) copies of the PTI application. These copies must have original signatures and will be forwarded to OEPA-Division of Surface Water with a written recommendation from DOR of approval/disapproval. Should OEPA disagree with the recommendation from DOR, further revisions may be necessary. OEPA will either approve, disapprove, or request additional revisions within 30 days of receipt of DOR's recommendation.

If you have any questions, please contact Bill Sterling, permitting hydrologist, at DOR's Columbus office at (614) 265-6653.


Michael J. Nishimura, Manager
Permits & Processing Section

Attachments