

RELEASE OF MINING PERMIT CHECKLIST

(Release of the Entire Permitted Area)

In order for the permittee to be released from further reclamation responsibility for the mine site with respect to The Mining Act of 1971, the following is required:

1. A Release Request Form or letter requesting release of the entire mine site must be submitted by the permittee to the appropriate Land Quality section Regional Office. A copy of the Release Request Form may be obtained from the Land Quality Section Regional Office servicing your area.

2.
 - A. The subject site will be inspected by a representative of the Department in accordance with G.S. 74-56 to determine whether the operator has complied with the reclamation plan, the requirements of The Mining Act of 1971, and the terms and conditions of the mining permit. If the reclamation has been properly completed at the site, a memo will be sent from or through the Regional Engineer to the Mining Specialist noting the date the site was last inspected and recommending that the site be released. The memo should include the reclamation methods employed at the site. A copy of the completed inspection report and the Release Request Form should be attached to the memo.

 - B. If the reclamation has not been sufficiently completed at the site, the inspector will advise the permittee of any deficiencies noted during the site inspection. The operator must commence action to rectify these deficiencies and must diligently proceed until they have been corrected. The Regional Office staff may extend performance periods referred to in G.S. 74-53 (Reclamation Plan) for delays clearly beyond the permittee's control, but only in cases where the Department finds that the permittee is making every reasonable effort to comply. Upon completion of the necessary reclamation, the permittee must contact the Land Quality section Regional Office staff for an onsite inspection to determine whether or not the site is releasable. If releasable, a memo must be sent from or through the Regional Engineer as described in 2.A above.

3. Upon receipt of the above, the Director (or his designee) will notify the permittee in writing that the permittee is released from further obligations for the site with respect to The Mining Act of 1971. At that time, the Director (or his designee) will release all or the appropriate portion of any performance (reclamation) bond or other security which the permittee has posted under G.S. 74-54.

For more information, contact the Land Quality Section Regional Office serving your area or the Central Office at (919) 707-9220.