

PARTIAL RELEASE OF MINE SITE CHECKLIST

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

1. A letter must be submitted to the Land Quality Section by the permittee stating that reclamation has been completed on a portion of the mine site, that he has no further intentions to re-affect this portion of the site in the future, and that he wishes to be released from further reclamation responsibility with respect to the mining permit, the reclamation bond, and The Mining Act of 1971 on this portion of the site. Two copies of an updated mine map of the site must be submitted clearly indicating the size and location of the portion of the mine site to be released.

2.
 - A. The subject site will be inspected by representatives 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 on the portion of the site in question, a memo will be sent from or through the Regional Engineer to the Mining Specialist noting the date the site was inspected and recommending that the reclaimed portion of the site be released. The memo should also indicate the reclamation method employed for the particular area. A copy of the inspection report and letter requesting partial release should be attached to the memo.

 - B. If the reclamation has not been sufficiently completed on the portion of the site, the Inspector will give written notice to the permittee to advise him of any deficiencies noted during the site inspection. The operator will commence action to rectify these deficiencies and will 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 will contact the Land Quality Section Regional Office staff to determine whether or not the portion of the site is releasable. If releasable, a memo will 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 with respect to The Mining Act of 1971 for the portion of the site that has been sufficiently reclaimed. At that time, the Director (or his designee) will release the appropriate portion of any performance (reclamation) bond or other security that 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.