

**350.055 Publication of notice of intention to mine by permit applicant --
Notification of various local government bodies by cabinet.**

- (1) An applicant for a permit required by KRS 350.060 shall publish public notice of his filing of an application for that permit. The publication shall be made by advertisement in a newspaper of largest bona fide circulation, according to the definition in KRS 424.110 to 424.120, in the county wherein the proposed mining site is located.
- (2) The applicant shall publish the notice of intention to mine in the newspaper identified in subsection (1) at least once a week for four (4) consecutive weeks beginning at the time of submission of an application for a surface coal mining operation permit, pursuant to regulations promulgated by the cabinet.
- (3) The public notice of the filing of an application shall be entitled "Notice of Intention to Mine" and shall be in a manner and form prescribed by the cabinet and shall include, though not be limited to, the following:
 - (a) The name and address of the applicant;
 - (b) The location, ownership, and boundaries of the proposed mining site.
- (4) A copy of the newspaper advertisement of the applicant's "Notice of Intention to Mine" shall be filed with the cabinet and made a part of the complete application within a reasonable time after the last date of publication.
- (5) The cabinet shall notify various local government bodies, planning agencies, and sewage and water treatment authorities and water companies in the locality of the proposed operation notifying them of the applicant's intention to mine the land area as set forth in the notice of intention to mine, and identifying the permit application number assigned by the cabinet and where a copy of the permit application may be inspected. The secretary shall promulgate regulations specifying the manner in which the agencies may comment on the application. Any comments put forward pursuant to this section shall immediately be forwarded by the cabinet to the applicant and shall be made available to the public at the same places as the permit application is available.

Effective: July 14, 1992.

History: Amended 1992 Ky. Acts ch. 429, sec. 4, effective July 14, 1992. -- Amended 1980 Ky. Acts ch. 62, sec. 4; and ch. 377, sec. 1 -- Created 1976 Ky. Acts ch. 322, sec. 1.