

# 3 *Notice of Intent to Prospect*

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**SUBJECT: Procedure to obtain Approval for Notice of Intent to Prospect (MR-3)**

**DATE: January 1997 (Revised May 2008)**

A complete and accurate “Notice of Intent to Prospect” will expedite the review process. A Notice of Intent to Prospect must show approximate routes and locations of roads to be used or constructed. The approximate location of each anticipated prospecting excavation or drill hole shall be indicated on the map. If applicant is unsure how many drill holes or pits will be used, they shall propose the maximum anticipated number of holes and anticipated total acres to be disturbed. Minor movement of these sites when prospecting is acceptable as long as total permitted acreage is not exceeded and there are no new surface owners;

**APPLICANT:**

- One original and three copies of completed MR-3 and attachments
- Wildlife Lands Inquiry Response
- Comply with SHPO requirements - *See Section 26 of this Handbook*
- Reclamation bond (*\$500.00 per acre or fraction thereof*)
- Submit two 1:2000 scale topographic maps (*or less scale if it will improve clarity and accuracy*)
- \$2,000 filing fee for Notices of Intent *Greater Than 250 Tons*

**DEP:**

- Permit Supervisor assigns the review of application to Permit Review Team
- DEP decision must be made within 15 days of receipt of application or corrections must be sent to applicant within 15 days
- DEP must complete the MR-3-CK Prospect Checklist
- After prospect has been approved the MR-3-A approval form will be sent to Applicant

**Notices of Intent to Prospect:**

- cannot be transferred or sold via a MR-19A unless a complete stock purchase or an asset purchase thru bankruptcy court. It is, however, to be included in a MR-19B application since the original due to the company having a name change or merger;
- in cases of merger and name change (MR-19B), open prospect operations shall be included
- cannot be revised, unless ordered by the Secretary;
- cannot conduct blasting activities, unless approved by Secretary and in accordance with Section 6 of the Surface Mining Reclamation Regulations;
- shall be valid for two years;

**CONSISTENCY GUIDELINES:**

- Sediment control for the disturbed area may take several forms depending upon the circumstances. Sediment sumps, ditches, straw bales, or filter cloth are all acceptable alone or in combination as long as the proposed plan will prevent sedimentation from leaving the disturbed area.
- A typical site plan for each type of prospect site is required. Also, typical cross sections for each type of proposed site will be required. The typical site plan should show flow direction, sediment control, access road, and provide dimensions of the site. Bore holes should show grouting the entire length. The typical site plan is only an example and does not have to be to scale.
- If the applicant proposes “dropping a dozer blade, grader, etc.” on existing roads and sites, then the area must be bonded. This includes widening, upgrading, etc. of existing roads.
- SHPO, Wildlife Heritage Lands Inquiry, reclamation bond, and requirements of Section 13 of the regulations may be waived if there is no surface disturbance (*i.e., dropping of a dozer blade, grader, etc.*);
- The prospect map submitted with the application does not have to be signed by RPE or company.

**APPROPORATE FORMS AVAILABLE:**

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|--|---|--|
| • Notice of Intent to Prospect                               | MR-3  | Form can be found on Inter-net                                   |
| • Prospecting Checklist                                      | MR-3-CK   | Form can be found on Inter-net                                   |
| • Prospect Advertisement<br>(only for greater than 250 tons) | MR-3-AD   | Form can be found on Inter-net                                   |
| • Prospect Approval  | MR-3-GT for greater than 250 tons<br>and MR-3-LT for less than 250 tons | Form can be found on Intra-net<br>Form can be found on Intra-net |