



RAILROAD COMMISSION OF TEXAS
SURFACE MINING AND RECLAMATION DIVISION

ADVISORY ID:
AD-AD-207(d)

REVISION NO.:

EFFECTIVE DATE:
April 17, 2006

ADVISORY NOTICE

SUBJECT: Guidelines for Filing Permit Applications with County Clerk or Local Public Offices

APPROVAL:

Melvin B. Holghin

TITLE: Director

I. PURPOSE

To provide guidance for applicants when filing copies of permit applications with the county clerk offices where mining is proposed.

II. REGULATION REFERENCE

16 TAC, Chapter 12, §12.207(d) Public Notices of Filing of Permit Applications

III. SUMMARY

An applicant for a permit shall make a full copy of the complete application available for the public to inspect and copy. This shall be done by filing a copy of the application submitted to the Commission with the County Clerk at the courthouse where the mining is proposed to occur, or if approved by the Commission, at another equivalent public office.

IV. APPLICANT'S RESPONSIBILITIES

The applicant is responsible for:

- Filing the permit application with the County Clerk in its **complete** form, as filed with the Commission, this includes the manner in which the application is filed, i.e. organized, labeled binders. Ensure that any material referenced in the application that is part of a prior approved permit document(s) is also available for public review. The permit application is only required to be filed with the County Clerk during the pendency of the application process (i.e., until a final Commission decision is reached as to issuance or denial of the application);
- Filing the complete application by the first date of the newspaper advertisement of the application;
- Ensuring that any subsequent revision (supplement) to the permit application is filed with the County Clerk, or other approved office, at the same time the revision (supplement) is filed with the Commission;
- Notifying the Commission if the County Clerk will not accept the permit application or does not have the space to store the application; and
- At the applicant's discretion, removing the permit application from the courthouse once the permitting decision has been made, unless there is an appeal of the permitting decision.