

Important Notice

Changes to noncoal application fees, administrative fees,
and liability insurance requirements

➤ Noncoal Application Fees and Administration Fees

Fees for noncoal mining permit applications and annual administration fees will increase on January 1, 2024 as outlined in 25 Pa Code § 77.106. Fees.

Application fees (for new permits and revisions) are listed on the Bureau of Mining Program's Fees webpage and will be updated in late December 2023 to reflect the changes.

<https://www.dep.pa.gov/Business/Land/Mining/BureauofDistrictMining/Pages/Fees.aspx>

Administration fees are assessed yearly to operators with permits that have not had final bond release and are to be paid at the time of the mine operator's license renewal.

The new administration fees appear on mine license renewals beginning with those that expire on January 31, 2024.

➤ Noncoal Liability Insurance Changes

Applicable to large license operators only

Liability insurance requirements for noncoal mine operators have changed including new minimum limits for coverage.

Revised regulations for Noncoal Mining (25 Pa Code Chapter 77: Noncoal Mining) went into effect on August 19, 2023.

See *Pennsylvania Bulletin*, Volume 53, Issue 33, under Environmental Quality Board section <https://pacodeandbulletin.gov/Display/pabull?file=/secure/pabulletin/data/vol53/53-33/1116.html>

Part of these revisions included changes to §77.231. *Terms and conditions for liability insurance.*

- *Occurrence basis*: Subsection (b) was amended to add that the insurance is written on an occurrence basis.
- *Notification to the Department*: Subsection (d) was amended to clarify that notification by the insurer to the Department be made whenever changes occur affecting the adequacy of the policy, including cancellation.
- *Increased coverage limits*: Subsection (e) was amended to increase the coverage limits for insurance.

- Minimum insurance coverage for bodily injury: \$500,000 per person and \$1 million aggregate.
- Minimum insurance coverage for property damage: \$500,000 for each occurrence and \$1 million aggregate.

The Noncoal Surface Mining Conservation and Reclamation Act specifies that the amount of insurance be prescribed by regulation. The current limits have been in place since the regulations were finalized in 1990. The increase in limits is intended to reflect the increase in costs over time. The numbers are consistent with the requirements that are in place for coal mining.

- *Remove sole holder*: Subsection (h) was amended to delete "solely" in describing the certificate holder.

Please provide this information to your insurance provider. Upon renewal of your insurance policy in 2024, you will be required* to comply with the new insurance provisions.

**Small noncoal mine operator licensees are not required to provide proof of liability insurance.*

Additional information

Message the Licensing Section or supply your new Certificates of Insurance at the following email address: RA-MineLicense@pa.gov.

Visit the web page for the Bureau of Mining Programs for additional information and program updates.

<https://www.dep.pa.gov/Business/Land/Mining/BureauofDistrictMining/Pages/default.aspx>