

June 1, 1990

POLICY STATEMENT NO. PS-2

**Violations Review Criteria: Improvidently Issued Permits**

WHEREAS:

Recognizing that the Louisiana Surface Mining and Reclamation Act (Act) authorizes the Office to withhold a surface coal mining and reclamation permit from any applicant who either directly, indirectly, or through a relationship of ownership or control is in violation of the Act or certain other environmental laws, rules and regulations.

Recognizing further, that when the Office has reason to believe that it improvidently issued a surface coal mining and reclamation permit, it shall review the circumstances under which the permit was issued. A permit will be found to have been improvidently issued if it meets specific review criteria.

THEREFORE:

The Office will apply the Violations Review Criteria found at 54 FR 18440-18441 for each review of a permit believed to have been improvidently issued. When a permit is found to have been improvidently issued, the Office shall comply with Section 3127.C - Remedial Measures.

This Policy Statement adequately reflects the policy of the Office in regard to Improvidently Issued Permits, and this Policy Statement is hereby included in the approved Louisiana Regulatory Program.

Issued this 2<sup>nd</sup> day of July, 1990 in Baton Rouge, Louisiana.