

GENERAL ASSEMBLY OF NORTH CAROLINA
1989 SESSION

CHAPTER 944
SENATE BILL 1534

AN ACT TO ESTABLISH FEES FOR PROCESSING APPLICATIONS FOR
MINING PERMITS AND APPLICATIONS FOR MODIFICATIONS AND
RENEWALS OF EXISTING MINING PERMITS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143B-290 is amended by adding a new subdivision to read:

- "(4) a. The Commission may establish a fee schedule for the processing of permit applications and permit renewals and modifications. The fees may vary on the basis of the acreage, size, and nature of the proposed or permitted operations or modifications. In establishing the fee schedule, the Commission shall consider the administrative and personnel costs incurred by the Department for processing applications for permits and permit renewals and modifications and for related compliance activities and safeguards to prevent unusual fee assessments which would result in serious economic burden on an individual applicant or class of applicants.
- b. The total amount of permit fees collected for any fiscal year may not exceed one-third of the total personnel and administrative costs incurred by the Department for processing applications for permits and permit renewals and modifications and for related compliance costs in the prior fiscal year, but in no event may they exceed two thousand five hundred dollars (\$2,500) for any application for a new permit or five hundred dollars (\$500.00) for any application for a permit renewal or modification.
- c. Fees collected under this subdivision shall be credited to the General Fund and may be used to:
1. Defray the expenses of any project or program, including education programs, supporting the permitting and compliance activities under Article 7 of Chapter 74 of the General Statutes;
 2. Establish additional permanent positions, under Chapter 126 of the General Statutes, to conduct permitting, compliance, and educational activities under Article 7 of Chapter 74 of the General Statutes; and

3. Improve the efficiency and decrease the length of the processing period for permit applications.
- d. The Department shall make an annual report to the Joint Legislative Commission on Governmental Operations and the Director of the Fiscal Research Division on the cost of the State's mining permit program. The report shall include the fees established, collected, and disbursed under this section and any other information requested by the General Assembly or the Commission."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 17th day of July, 1990.