

APA-2
11/96

ALABAMA SURFACE MINING COMMISSION

NOTICE OF INTENDED ACTION

AGENCY NAME: Surface Mining Commission

RULE NO. & TITLE:

880-X-5A-.35 Assessment of Costs

INTENDED ACTION: The Alabama Surface Mining Commission proposes to amend the above-listed rule.

SUBSTANCE OF PROPOSED ACTION:

Substance of Proposed Action: The proposed rule amendment makes explicit that an award of fees and cost in contested cases arising under the Act may be assessed against any party other than a permittee or the regulatory authority only upon demonstration that such party initiated or participated in the proceeding in bad faith. Amendment of this rule is necessary to assure the state program meets the minimum requirements of federal law for continued approval of the state program.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

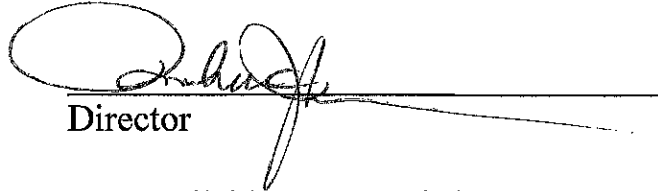
Persons wishing to submit comments or suggestions concerning this rulemaking may do so in writing. If requested by one or more persons, a public hearing will be held on **February 2, 2016** at **10:00 A.M.** in the ASMC Hearing Room, Third Floor, 1811 Second Avenue (Pinnacle Bank Building), Jasper, Alabama. Written comments must be submitted no later than **5:00 p.m. on February 4, 2016**, to:

Alabama Surface Mining Commission
Randall C. Johnson, Director
P. O. Box 2390
Jasper, Alabama 35502-2390

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

February 4, 2016

CONTACT PERSON AT AGENCY: Randall C. Johnson, Director



Director

Copies of proposed amendments are available at our website:

<http://surface-mining.alabama.gov/rulemakingnotice.htm>

Copies of the proposed regulations are also available (either hard copy or on disc) at the Alabama Surface Mining Commission, 1811 Second Avenue, Second Floor, Pinnacle Bank Building, Jasper, Alabama.