

**NORTH CAROLINA MINING  
PERMIT APPLICATION**

State of North Carolina  
Department of Environmental Quality  
Division of Energy, Mineral, and Land Resources

1612 Mail Service Center  
Raleigh, NC 27699-1612  
(919) 707-9220

**NOTE: It is recommended that you contact the appropriate Regional Office or the Raleigh Central Office for a PRE-APPLICATION MEETING to discuss your intentions and address any questions.**

1. Name of Mine	_____	
County	_____	River Basin _____
Latitude (decimal degrees to four places)	_____	
Longitude (decimal degrees to four places)	_____	
2. Name of Applicant	_____	
Applicant Contact	_____	Consultant Contact _____
Applicant Email	_____	Consultant Email _____
Telephone	_____	Telephone _____
Cell Phone	_____	Cell Phone _____
3. Permanent Address for Receipt of Official Mail**	_____	
_____		
4. Mine Office Address	_____	
_____		
5. Mine Manager	_____	
Mine Manager Email	_____	
Telephone	_____	Cell Phone _____

**I certify that all details contained in this permit application are true and correct to the best of our knowledge. We fully understand that any willful misrepresentation of facts will be cause for permit revocation.**

Signature\*\*\* \_\_\_\_\_ Date \_\_\_\_\_  
Print Name \_\_\_\_\_  
Title \_\_\_\_\_

\*This will be the name that the mining permit will be issued to and the name that must be indicated on the reclamation bond (security) that corresponds to this site.

\*\*The Division of Energy, Mineral, and Land Resources must be notified of any changes in the permanent address or telephone number.

\*\*\*Signature of company officer required.

G.S. 74-51 provides that the Department shall grant or deny an application for a permit within 60 days of receipt of a complete application or, if a public hearing is held, within 30 days following the hearing and the filing of any supplemental information required by the Department. **All questions must be addressed, and all required maps provided before this application can be considered complete. Attach additional sheets as needed.**

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**NOTE: All the following questions must be thoroughly answered regarding your mining operation for the intended life of the mine. All responses must be clearly conveyed on a corresponding, detailed mine map.**

**A. GENERAL CHARACTERISTICS OF THE MINE**

1. Answer all the following that apply:

This is an application for a **NEW** permit.

Indicate the total acreage at the site to be covered by the permit \_\_\_\_\_

(This is the acreage the new permit fee will be based upon.)

Of this acreage, how much is owned and how much is leased?

Acres owned: \_\_\_\_\_ Acres leased: \_\_\_\_\_

Property owner if leased: \_\_\_\_\_

This is an application for a **MODIFICATION** to a mining permit.

Mining Permit Number: \_\_\_\_\_ Total permitted acreage: \_\_\_\_\_

Does the modification involve acreage within the previously approved permitted boundary?

YES

NO

If yes, indicate the acreage to be covered by this modification \_\_\_\_\_

Does the modification involve acreage outside the previously approved permitted boundary?

YES

NO

If yes, indicate the additional acreage to be covered by this modification \_\_\_\_\_

NOTE: You must complete all of Section F of this application form entitled Notification of Adjoining Landowners

Of the acreage to be added to the permit, will any portion be affected (i.e.: disturbed, ground cover removed) by the mining operation?

YES

NO

If yes, indicate the acreage to be affected within the acreage to be added to the permit \_\_\_\_\_

The modification fee is based upon the proposed new affected acreage within the previously approved permitted boundary **plus** the proposed total acreage to be added outside the previously approved permitted boundary.

This is an application for **TRANSFER** of a mining permit.

Mining Permit Number: \_\_\_\_\_ Total permitted acreage: \_\_\_\_\_

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**MINING FEE SCHEDULE**

A nonrefundable permit application processing fee when filing for a new mining permit, permit modification, or transferred permit is required as follows:

APPLICATION TYPE	0 – 25 ACRES	26+ ACRES
New Permit Applications	\$3,750.00	\$5,000.00
Permit Modifications	\$750.00	\$1,000.00
Permit Transfers	\$100.00	\$100.00
Annual Operating Fee	\$400.00	\$400.00

Acres for new permits means the total acreage at the site to be covered by the permit. Acres for modification of permits means the new affected acres within the previously approved permitted boundary plus the proposed total acreage to be added outside the previously approved permitted boundary.

2. Name of all materials mined: \_\_\_\_\_

3. Mining Method:

Hydraulic Dredge

Front-end Loader & Truck

Shovel & Truck

Dragline & Truck

Self-loading Scraper

Other (please explain): \_\_\_\_\_

4. Expected maximum depth of mine (feet) \_\_\_\_\_

Depth is relative to what benchmark? (e.g., natural ground level, mean seal level, road elevation, etc.) \_\_\_\_\_

Expected average depth of mine (feet) \_\_\_\_\_

5. Has any area at this site been mined in the past?

YES

NO

If yes, when and by whom was this activity conducted? \_\_\_\_\_

6. Estimated life of the operation: \_\_\_\_\_

NOTE: The Department may request clarification on how life of mine was calculated.

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**B. MAPS**

1. Clearly mark and label the location of your mining operation on **six (6) copies** of a 7.5-minute quadrangle and a county highway map. These maps, in addition to **six (6) copies** of all mine maps and reclamation maps, must be submitted with each permit application.

7.5-minute quadrangles may be obtained from the N.C. Geological Survey:

Mailing Address

1612 Mail Service Center  
Raleigh, NC 27699-1612  
[Http://portal.ncdenr.org/web/lr/geological\\_home](http://portal.ncdenr.org/web/lr/geological_home)

Physical Address

512 N. Salisbury St., 5<sup>th</sup> Floor  
Raleigh, NC 27604  
(919) 733-2423

County highway maps may be obtained from the N.C. Department of Transportation:

Mailing Address

NCDOT GIS Unit  
1587 Mail Service Center  
Raleigh, NC 27699-1587  
<http://www.ncdot.org/it/gis>

Physical Address

NCDOT GIS Unit  
3401 Carl Sandburg Court  
Raleigh, NC 27610  
(919) 212-6000

2. A table/chart must be provided on the mine map that clearly lists the approximate acreage of tailings/sediment ponds, stockpiles, waste piles, processing areas/haul roads, mine excavations and any other major aspect of the mining operation that is proposed to be affected/disturbed during the life of the mining permit. A table/chart similar to the following will be acceptable:

**AFFECTED ACREAGE TABLE:**

For **new** permits, complete only the total affected acreage column.

For **modifications**, complete all columns.

CATEGORY	CURRENT AFFECTED ACREAGE	PROPOSED CHANGE TO AFFECTED ACREAGE	TOTAL AFFECTED ACREAGE
Tailings/Sediment Ponds			
Stockpiles			
Waste piles			
Processing Areas/Haul Roads			
Mine Excavations			
Other (Please explain)			
<b>Total Affected Acreage</b>			
<b>Total Permitted Acreage</b>			

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3. Mine maps must be accurate and appropriately scaled drawings, aerial photographs, or enlarged topographic maps of the entire mine site. **All aspects of the mine site must be clearly labeled on the maps along with their corresponding (approximate) acreage. Thus, all mine and reclamation maps must denote those activities that are intended to be conducted during the life of the mining permit.** All maps must be of a scale sufficient to clearly illustrate the following, **at a minimum:**
- a) Property lines of the tract or tracts of land on which the proposed mining activity is to be located including easements and rights-of-way.
  - b) Existing or proposed permit boundaries with geographic controls (e.g. metes and bounds, coordinates) labeled
  - c) Initial and ultimate limits of clearing and grading
  - d) Outline and width of all buffer zones (both undisturbed and unexcavated)
  - e) Outline and acreage of all pits/excavations
  - f) Outline and acreage of all stockpile areas
  - g) Outline and acreage of all temporary and/or permanent overburden disposal areas
  - h) Location and acreage of all processing plants (may be described as to location and distance from mine if sufficiently far removed)
  - i) Locations and names of all streams, rivers, and lakes
  - j) Outline and acreage of all settling and/or processing wastewater ponds
  - k) Outline and acreage of all planned and existing access roads and on-site haul roads
  - l) Location of planned and existing on-site buildings
  - m) Location and dimensions of all proposed sediment and erosion control measures
  - n) Location of 100-year floodplain limits and wetland boundaries
  - o) Names of owners of record, both public and private, of all tracts of land that are adjoining the mining permit boundary; if an adjoining tract is owned or leased by the applicant or is owned by the lessor of the mine tract, names of owners of record of tracts adjoining these tracts that are within 1,000 feet of the mining permit boundary must be provided on the mine map.
  - p) Names of owners of record, both public and private, of all tracts of land that are adjoining the mining permit boundary which lie directly across and are contiguous to any highway, creek, stream, river, or other watercourse, railroad track, or utility or other public right-of-way. If an adjoining tract is owned or leased by the applicant or is owned by the lessor of the mine tract, names of owners of record of tracts adjoining these tracts, that are within 1,000 feet of the mining permit boundary, must be provided on the mine map(s). NOTE: "Highway" means a road that has four lanes of travel or less and is not designated as an Interstate Highway.
  - q) Map legend
    - 1) Applicant name
    - 2) Mine name
    - 3) North arrow
    - 4) County
    - 5) Scale
    - 6) Symbols used and corresponding names
    - 7) Date prepared and revised
    - 8) Name and title of person preparing map

Map scales should meet the following guidelines:

PERMITTED ACREAGE	MAP SCALE
0 – 49 acres	1" = 50'
50 – 199 acres	1" = 100'
200+ acres	1" = 200'

NOTE: Smaller scaled maps may be acceptable if they clearly illustrate the above items.

**NOTE: In addition to the above, the maps must also include any site-specific information that is provided in the answers to the following questions (*italicized questions/statements*) in this application form. This application will not be considered complete without all relevant items being adequately addressed on the mine maps.**



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C) Will any part of the proposed mine excavation(s) extend below the water table?

YES NO

If yes, do you intend to dewater the excavation(s)?

YES NO

Estimated withdrawal rate in gallons per day: \_\_\_\_\_

If yes, what impact, if any, will mine dewatering have on neighboring wells? *Locate all existing wells on the mine map(s) that lie within 500 feet of the proposed excavation area.* Provide data to support any conclusions or statement made, including any monitoring well data, well construction data, and current water withdrawal rates. Indicate whether the proposed mine locale is served by a public water system or private wells.

D) If you answered yes to any of the above questions, provide evidence that you have applied for or obtained the appropriate water quality permit(s) (i.e., non-discharge, NPDES, Stormwater, etc.) from the Stormwater Program. In addition, the applicant is required to register water use with the Division of Water Resources, Ground Water Management Branch, if the operation withdraws more than 10,000 gallons per day and needs a capacity use permit from the Division of Water Resources, Ground Water Management Branch, if the operation lies in a capacity use area and withdraws more than 100,000 gallons per day.

4. A) Will the operation involve crushing or any other air contaminant emissions?

YES NO

If yes, indicate evidence that you have applied for or obtained an air quality permit issued by the Division of Air Quality or local governing body.

B) How will dust from stockpiles, haul roads, etc., be controlled?

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5. A) A buffer will be required between any mining activity and any mining permit boundary or right-of-way. It may be an unexcavated buffer (no excavation, but roadways, berms, and erosion & sedimentation control measures may be installed within it), an undisturbed buffer (no disturbance within the buffer whatsoever), or a combination of the two, depending upon the site conditions. Note that all buffers must be located within the mining permit boundaries.

How wide a buffer will be maintained between any mining activity and any mining permit boundary or right-of-way at this site? A minimum buffer of 25 feet is recommended, although a wider buffer may be needed depending on site conditions. *Show all buffer locations and widths on the mine map(s).*

B) A minimum 50 foot wide undisturbed buffer will be required between any land disturbing activities within the mining permit boundaries and any natural watercourses and wetlands unless smaller undisturbed buffers can be justified. Depending on site conditions, a buffer wider than 50 feet may be needed.

How wide an undisturbed buffer will be maintained between any land disturbing activities within the mining permit boundaries and any natural watercourses and wetlands at this site? *Show all buffer locations and widths on the mine map(s).*

6. A) Describe methods to prevent landslide or slope instability adjacent to adjoining permit boundaries during mining. Minimum 2 horizontal to 1 vertical slopes or flatter for clayey material and minimum 3 horizontal to 1 vertical slopes or flatter for sandy material are generally required unless technical justification can be provided to allow steeper slopes.

B) *Provide a cross-section on the mine map(s) for all fill slopes (berms, waste piles, overburden disposal areas, etc.), clearly indicating the intended side slope gradient, installation of any benches and/or slope drains (with supporting design information) if needed, and the method of final stabilization.*



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10. A) Describe specific plans (including a schedule of implementation) for screening the operation from public view such as maintaining or planting trees, bushes or other vegetation, building berms or other measures. *Show the location of all visual screening on the mine map(s) and provide cross-sections through all proposed berms or proposed spacing, sizes and species for tree plantings.*

B) Could the operation have a significantly adverse effect on the purposes of a publicly owned park, forest, or recreation area? If so, how will such effects (i.e., noise, visibility, etc.) be mitigated?

11. Will explosives be used?

YES

NO

If yes, specify the types of explosive(s) and describe what precaution(s) will be used to prevent physical hazard to persons or neighboring property from flying rocks or excessive air blasts or ground vibrations. Depending on the mine's location to nearby structures, more detailed technical information may be required on the blasting program (such as a third-party blasting study). *Locate the nearest offsite occupied structure(s) to the proposed excavation(s) on the mine map and indicate its approximate distance to the proposed excavation.*

12. Will fuel tanks, solvents, or other chemical reagents be stored on-site?

YES

NO

*If yes, describe these materials, how they will be stored and method of containment in case of spill. Indicate the location(s) of all storage facilities on the mine map(s).*

**D. RECLAMATION PLAN**

1. Describe your intended plan for the final reclamation and subsequent use of all affected lands and indicate the sequence and general methods to be used in reclaiming this land. This must include the method of reclamation of settling ponds and/or sediment control basins and the method of restoration or establishment of any permanent drainage channels to a condition minimizing erosion, siltation and other pollution. *This information must be illustrated on a reclamation map and must correspond directly with the information provided on the mine map(s). In addition, design information, including typical cross-sections, of any permanent channels to be constructed as part of the reclamation plan and the location(s) of all permanent channels must be indicated on the reclamation map.*

2. Is an excavated or impounded body of water to be left as part of the reclamation?

YES

NO

*If yes, illustrate the location of the body(s) of water on the reclamation map and provide a scaled cross-section(s) through the proposed body(s) of water. The minimum water depth must be at least 4 feet, measured from the normal low water table elevation, unless information is provided to indicate that a shallower water body will be productive and beneficial at this site.*

Will the body(s) of water be stocked with fish?

YES

NO

If yes, specify species.

3. Describe provisions for safety to persons and to adjoining property in all completed excavations in rock including what kind of permanent barricade will be left. Acceptable permanent barricades are appropriate fencing, large boulders placed end-to-end, etc. *Construction details and locations of all permanent barricades must be shown on the reclamation map.*

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4. Indicate the method(s) of reclamation of overburden, refuse, spoil banks or other such on-site mine waste areas, including specifications for benching and sloping. *Final cross-sections and locations for such areas must be provided on the reclamation map.*

5. A) Describe reclamation of processing facilities, stockpile areas, and on-site roadways.

B) Will any on-site roadways be left as part of the reclamation?

YES

NO

*If yes, identify such roadways on the reclamation map and provide details on permanent road and ditch line stabilization.*

6. Describe the method of control of contaminants and disposal of scrap metal, junk machinery, cables, or other such waste products of mining. (Note definition of refuse in The Mining Act of 1971.)

**No off-site generated waste shall be disposed of on the mine site without prior written approval from the NC Department of Environmental Quality, Division of Energy, Mineral, and Land Resources and either the Division of Waste Management (DWM) or local governing body. If a disposal permit has been issued by DWM for the site, a copy of said permit must be attached to this application. All temporary and permanent refuse disposal areas must be clearly delineated on the mine map(s) and reclamation map, along with a list of items to be disposed in said areas.**

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7. Describe your plan for revegetation or other surface treatment of the affected areas. This plan must include recommendations for year-round seeding, including the time of seeding and the amount and type of seed, fertilizer, lime and mulch per acre. The recommendations must include general seeding instructions for both permanent and temporary revegetation. Revegetation utilizing only tree plantings is not acceptable. Recommendations can be sought from:
- a. Authorized representatives of the local Soil and Water Conservation District;
  - b. Authorized representatives of the NC Forest Service, Department of Agriculture and Consumer Services;
  - c. Authorized county representatives of the North Carolina Cooperative Extension Service, specialists and research faculty with the Colleges of Agriculture and Life Sciences and Forest Resources at North Carolina State University;
  - d. North Carolina licensed landscape architects;
  - e. Private consulting foresters referred by the NC Forest Service, Department of Agriculture and Consumer Services;
  - f. N.C. Erosion and Sedimentation Control Planning and Design Manual;
  - g. N.C. Surface Mining Manual: A Guide for Permitting, Operation and Reclamation;
  - h. Others as may be approved by the Department.

**Lime Rate of Application (tons/acre):** \_\_\_\_\_

**Fertilizer Analysis and Rate of Application (lbs/acre):** \_\_\_\_\_

**Seed type(s) and rate(s) of application included year-round seeding schedule (lbs/acre):**

**NOTE: Include legumes**

SEED TYPES	SEEDING DATES	SEEDING RATES

**Mulch Type, Rate of Application (lbs/acre), and Method of Anchoring:** \_\_\_\_\_

\_\_\_\_\_

**Other Vegetative Cover(s) Type(s) and Rate(s) of Application Including Seeding Schedule (lbs/acre, trees/acre, spacing of trees/shrubs, etc.):** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Revegetation and/or reforestation plan approved by:

Signature \_\_\_\_\_ Date \_\_\_\_\_  
 Print Name \_\_\_\_\_  
 Title \_\_\_\_\_  
 Agency \_\_\_\_\_

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**E. DETERMINATION OF AFFECTED ACREAGE AND BOND**

*The following bond calculation worksheet is to be used to establish an appropriate bond (based upon a range of \$500 to \$5,000 per affected acre) for each permitted mine site based upon the acreage approved by the Department to be affected during the life of the mining permit. Please insert the approximate acreage, for each aspect of the mining operation, that you intend to affect during the life of this mining permit (in addition, please insert the appropriate reclamation cost/acre for each category from the Schedule of Reclamation Costs provided with this application form) OR you can defer to the Department to calculate your bond for you based upon your maps and standard reclamation costs:*

CATEGORY	AFFECTED ACREAGE	RECLAMATION COST/ACRE	RECLAMATION COST
Tailings/Sediment Ponds	Ac. X \$	/Ac. = \$	
Stockpiles	Ac. X \$	/Ac. = \$	
Waste Piles	Ac. X \$	/Ac. = \$	
Processing Area/Haul Roads	Ac. X \$	/Ac. = \$	
Mine Excavation	Ac. X \$	/Ac. = \$	
Other	Ac. X \$	/Ac. = \$	
<b>TOTAL AFFECTED AC.:</b>	Ac.		
<b>TOTAL PERMITTED AC.:</b>	Ac.		

**Temporary & Permanent Sedimentation & Erosion Control Measures:**

Divide the TOTAL AFFECTED AC. above into the following two categories: a) affected acres that drain into proposed/existing excavation and/or b) affected acres that will be graded for positive drainage where measures will be needed to prevent offsite sedimentation and sedimentation to onsite watercourses and wetlands.

a) Internal Drainage	Ac.			
b) Positive Drainage	Ac.	X	\$1,500.00	= \$

**SUBTOTAL COST: \$ \_\_\_\_\_**

**Inflation Factor:**

SUBTOTAL COST	LIFE OF MINING OPERATION OR LIFE OF LEASE (YEARS)	INFLATION COST
0.02 X \$	X	= \$

**Total Reclamation Bond Cost:**

<b>TOTAL RECLAMTION BOND COST = SUBTOTAL + INFLATION = \$</b> <div style="text-align: right; margin-top: 5px;">Round to the nearest \$100.00</div>
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**NOTE: The reclamation bond cannot exceed \$1 million per GS 74-54**

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**SCHEDULE OF RECLAMATION COSTS**

Based upon range of \$500 - \$5,000 per affected acre

**COMMODITY CODES:**

<b>SG</b> Sand and/or Gravel	<b>DS</b> Dimension Stone	<b>PF</b> Pyrophyllite	<b>CL</b> Clay/Shale
<b>GS</b> Gemstone	<b>FS</b> Feldspar	<b>OL</b> Olivine	<b>PE</b> Peat
<b>Borrow</b> Borrow/fill dirt	<b>MI</b> Mica	<b>KY</b> Kyanite/Sillimanite/Andalusite	<b>AU</b> Gold
<b>CS</b> Crushed Stone	<b>LI</b> Lithium	<b>PH</b> Phosphate	<b>TI</b> Titanium
<b>OT</b> Other			

TYPE	T/S PONDS	STOCKPILES	WASTE PILES	P. AREA/H.R.	MINE EXCAVATION
SG, GS, Borrow	\$500/ac. (L) 1500 (FI)	\$1800/ac.	\$2000/ac.	\$1800/ac.	\$500/ac. (L) 2000 (PD)
CS, DS, FS, MI, LI, PF, OL, KY	500 (L) 1500 (FI)	1800	2000	2000	500 (L) 2500 (PD)
PH	1000 (L) 2500(FI)	2500	5000	5000	2000 (L) 5000 (PD)
CL	1000 (L) 2500 (FI)	2500	5000	5000	2000 (L) 3700 (PD)
PE, AU, TI, OT	1000(L) 2500 (FI)	2500	3000	3500	2000 (L) 5000 (PD)

(L) = Reclamation to a lake and revegetating side slopes

(FI) = Reclamation by filling in and revegetating

(PD) = Reclamation by grading for positive drainage & revegetating

**AS PER NCAC 15A 5B.0003, IF YOU DISAGREE WITH THE BOND AMOUNT DETERMINED BY THE BOND CALCULATION WORKSHEET, YOU MAY SUBMIT AN ESTIMATE OF RECLAMATION COSTS FROM A THIRD-PARTY CONTRACTOR. SAID ESTIMATE MUST BE PROVIDED WITHIN 30 DAYS TO THE FOLLOWING ADDRESS: Mining Program, 1612 Mail Service Center, Raleigh, North Carolina 27699-1612**

**ALL ESTIMATES MUST INCLUDE THE FOLLOWING, AS A MINIMUM:**

- FINAL GRADING COSTS PER ACRE
- LIME AND FERTILIZER COSTS PER ACRE
- YEAR-ROUND SEEDING MIXTURE COSTS PER ACRE (FROM APPROVED REVEGETATION PLAN IN APPLICATION/PERMIT DOCUMENT)
- MULCH AND ANCHORING COSTS PER ACRE
- ANY OTHER RECLAMATION COSTS NECESSARY TO COMPLY WITH THE APPROVED RECLAMATION PLAN FOR THE SITE IN QUESTION

**YOU WILL BE NOTIFIED AS SOON AS POSSIBLE OF THE DIRECTOR'S FINAL BOND DETERMINATION.**

**F. NOTIFICATION OF ADJOINING LANDOWNERS**

The "Notice" form, or a facsimile thereof, attached to this application must be sent certified or registered mail, return receipt requested, to:

- (1) the chief administrative officer of each county and municipality in which any part of the permitted area is located as indicated on the mine map(s);
- (2) all owners of record, both public and private, of all tracts of land that are adjoining the mining permit boundary; if an adjoining tract is owned or leased by the applicant or is owned by the lessor of the mine tract, all owners of record of tracts adjoining these tracts must be notified (that are within 1,000 feet of the mining permit boundary) as indicated on the mine map(s); and
- (3) all owners of record, both public and private, of all tracts of land that are adjoining the mining permit boundary which lie directly across and are contiguous to any highway, creek, stream, river, or other watercourse, railroad track, or utility or other public right-of-way. If an adjoining tract is owned or leased by the applicant or is owned by the lessor of the mine tract, all owners of record of tracts adjoining these tracts must be notified (that are within 1,000 feet of the mining permit boundary) as indicated on the mine map(s). "Highway" means a road that has four lanes of travel or less and is not designated as an Interstate Highway.

The only exception to the above method of giving notice is if another means of notice is approved in advance by the Director, Division of Energy, Mineral, and Land Resources.

A copy of a tax map (or other alternative acceptable to the Department) must be mailed with the completed "Notice" form **(the proposed overall permit boundaries and the names and locations of all owners of record of lands adjoining said boundaries must be clearly denoted on the tax map)**.

The "Affidavit of Notification" attached to this application must be completed, notarized and submitted to the Department, with the remainder of the completed application form before the application will be considered complete.

**NOTES:**

THIS SECTION MUST BE COMPLETED FOR ALL APPLICATIONS FOR NEW MINING PERMITS AND ALL MODIFICATIONS OF A MINING PERMIT TO ADD LAND TO THE PERMITTED AREA, AS REQUIRED BY NCGS 74-50(b1).

SEE THE NEXT TWO PAGES FOR THE "NOTICE" FORM AND THE "AFFIDAVIT OF NOTIFICATION"

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**NOTICE**

Pursuant to provisions G.S. 74-50(b1) of The Mining Act of 1971, Notice is hereby given that

\_\_\_\_\_ has applied on \_\_\_\_\_ to the Division of Energy,  
(Applicant Name) (Date)

Mineral, and Land Resources, North Carolina Department of Environmental Quality, 1612 Mail Service Center, Raleigh, North Carolina 27699-1612, for (check one):

- a new surface mining permit,
- a modification of an existing surface mining permit to add land to the permitted area; or
- a modification of an existing surface mining permit to add land to the permitted area with no disturbance in the area proposed. **Please note that future modification(s) may be submitted by the applicant to allow disturbance within this area without re-notification of adjoining landowners.**

The applicant proposes to mine \_\_\_\_\_ on \_\_\_\_\_ acres located \_\_\_\_\_  
(Mineral, Ore) (Number) (Number)

miles \_\_\_\_\_ of \_\_\_\_\_ off/near road \_\_\_\_\_  
(Direction) (Nearest town) (Number, Name)

in \_\_\_\_\_ County.

**\*SEE ATTACHED MAP FOR PROPOSED PERMIT BOUNDARIES AND CORRESPONDING ADJOINING LANDOWNER  
NAMES AND LOCATIONS\***

In accordance with G.S. 74-50(b1), the mine operator is required to make a reasonable effort, satisfactory to the Department, to notify all owners of record, both public and private, of all tracts of land that are adjoining the mining permit boundary; if an adjoining tract is owned or leased by the applicant or is owned by the lessor of the mine tract, all owners of record of tracts adjoining these tracts must be notified (that are within 1,000 feet of the mining permit boundary). In addition, the mine operator must also notify the chief administrative officer of the county or municipality in which any part of the permitted area is located. Any person may file written comment(s) to the Department at the above address within thirty (30) days of the issuance of this Notice or the filing of the application for a permit, whichever is later. Should the Department determine that a significant public interest exists relative to G.S. 74-51, a public hearing will be held within 60 days of the end of the 30-day comment period specified above.

A copy of the permit application materials is on file and available for public review during normal business hours at the above listed address as well as at the appropriate regional office. **For information regarding the specifics of the proposed mining activity, please contact the applicant at the following telephone number:** \_\_\_\_\_

For information on the mining permit application review process, please contact the Mining Program staff at (919) 707-9220. Please note that the Department will consider any relevant written comments/documentation within the provisions of the Mining Act of 1971 throughout the application review process until a final decision is made on the application.

\_\_\_\_\_  
Addressee/Owner of Record's Name and Address

\_\_\_\_\_  
Name of Applicant. Include Contact Person & Company Name, if Applicable

\_\_\_\_\_  
Date of Issuance of this Notice/Mailed to Addressee/Owner of Record

\_\_\_\_\_  
Address of Applicant

**NORTH CAROLINA MINING  
PERMIT APPLICATION**

State of North Carolina  
Department of Environmental Quality  
Division of Energy, Mineral, and Land Resources

1612 Mail Service Center  
Raleigh, NC 27699-1612  
(919) 707-9220

**AFFIDAVIT OF NOTIFICATION**

I, \_\_\_\_\_, an applicant, or an agent, or employee of an applicant, for a new Mining Permit, or a modification of an existing Mining Permit to add land to the permitted area, from the N.C. Department of Environmental Quality, being first duly sworn, do hereby attest that the following are all known owners of record, both public and private, of all tracts of land that are adjoining the mining permit boundary (including, where an adjoining tract is owned or leased by the applicant or is owned by the lessor of the mine tract, all owners of record of tracts adjoining these tracts, that are within 1,000 feet of the mining permit boundary) and that notice of the pending application has been caused to be mailed, by certified or registered mail, return receipt requested, to said owners of record at their addresses shown below, such notice being given on a form provided by the Department:

Adjoining Landowner Name	Address

**Attach additional list if necessary.**

I do also attest that the following individual is the chief administrative officer of the county or municipality in which any part of the permitted area is located and that notice of the pending application has been caused to be mailed, by certified or registered mail, return receipt requested, to said office at the following address:

_____	_____
Chief Administrative Officer Name	Address
(i.e.: City Manager, County Manager, Mayor, etc.)	

The above attestation was made by me while under oath to provide proof satisfactory to the Department that a reasonable effort has been made to notify all known owners of record, both public and private, of all tracts of land that are adjoining the mining permit boundary (including, where an adjoining tract is owned or leased by the applicant or is owned by the lessor of the mine tract, all owners of record of tracts adjoining these tracts, that are within 1,000 feet of the mining permit boundary) and the chief administrative officer of the county or municipality in which any part of the permitted area is located in compliance with N.C.G.S. 74-50(b1) and 15A NCAC 5B .0004(d). I understand that it is the responsibility of the applicant to retain the receipts of mailing showing that the above notices were caused to be mailed and to provide them to the Department upon request.

_____	_____
Signature of Applicant or Agent	Date

If person executing Affidavit is an agent or employee of an applicant, provide the following information:

Name of Applicant _____
Title of person executing Affidavit _____

I, \_\_\_\_\_, a Notary Public of the County of \_\_\_\_\_, State of North Carolina, do hereby certify that \_\_\_\_\_ appeared before me this day and under oath acknowledged that the above Affidavit was made by him/her.

Witness my hand and notarial seal, this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

Notary: \_\_\_\_\_ My commission expires: \_\_\_\_\_

**NORTH CAROLINA MINING  
PERMIT APPLICATION**

State of North Carolina  
Department of Environmental Quality  
Division of Energy, Mineral, and Land Resources

1612 Mail Service Center  
Raleigh, NC 27699-1612  
(919) 707-9220

**G. LAND ENTRY AGREEMENT**

We hereby grant to the Department or its appointed representatives the right of entry and travel upon our lands or operation during regular business hours for the purpose of making necessary field inspections or investigations as may be reasonably required in the administration of the Mining Act of 1971 pursuant to G.S. 74-56.

We further grant to the Department or its appointed representatives the right to make whatever entries on the land as may be reasonably necessary and to take whatever actions as may be reasonably necessary in order to carry out reclamation which the operator has failed to complete in the event a bond forfeiture is ordered pursuant to G.S. 74-59.

**LANDOWNER:**

Signature

Print Name

Title (if applicable)

Company (if applicable)

Address

Telephone

Date Signed

**APPLICANT:**

Signature\*

Print Name

Title

Company

Mine Name

Telephone

Date Signed

\*Signature must be the same as the individual who signed Page 1 of this application.

**One original and five (5) copies of the completed application, six (6) copies of all location maps, mine maps and reclamation maps, and the appropriate processing fee in the form a check or money order payable to the North Carolina Department of Environmental Quality must be sent to the Raleigh Central Office at the address listed on the front cover of this application form.**

Inquiries regarding the status of the review of this application should be directed to the Mining Program staff at (919) 707-9220.