

# **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, North Carolina 27699-1612  
(919) 707-9220**

Revised: 2017

## **NOTE:**

**It is recommended that you contact the appropriate Regional Office (see Regional Office listing in the back of this booklet) or the Raleigh Central Office for a PRE-APPLICATION MEETING to discuss your intentions and address any questions.**

# MINING PERMIT APPLICATION REVIEW PROCESS FLOWCHART

**BEGINNING OF PROCESS**

Application received by  
State Mining Specialist

Applicant issues  
Public Notice

Application assigned to  
Assistant State Mining Specialist

Assistant State Mining Specialist/Program Secretary  
routes application for review and comment

- U.S. Fish & Wildlife Service
- N. C. Geological Survey
- Wildlife Resources Commission
- Division of Water Resources
- Division of Archives & History
- Division of Parks & Recreation
- Others as appropriate

- Regional Office

- Division of Air Quality
- Division of Water Resources

\* All application review comments forwarded to  
Assistant State Mining Specialist

Review Public Comments;  
Public Hearing Possible

Is application complete?

If "YES", Assistant State Mining  
Specialist drafts the proposed  
permit action

If "NO", Assistant State Mining  
Specialist drafts a letter requesting  
additional information from applicant

Additional information from  
applicant received and routed  
to/reviewed by Assistant State Mining  
Specialist and Regional Office Staff  
(go to \*)



**Application & proposed permit action reviewed by State Mining Specialist**

**Is application & proposed permit action complete/acceptable??**

**If "Yes", the following permit actions are issued by the State Mining Specialist:**

- Draft Permits
- Permit Transfers/Name Changes
- Bond Substitutions/Cancellations
- Permit Releases
- 
- High Airblast Remediation Plans
- Non-controversial New Permits
- - Small, Non-controversial Modifications

**END OF PROCESS**

**If "No", application & proposed permit action returned to Assistant State Mining Specialist for revision (go to \*)**

**For other permit actions, if "Yes", application & proposed permit action forwarded to and reviewed by Mining Specialist**

**Is application & proposed permit action complete/ acceptable??**

**If "YES", application & proposed permit action forwarded to and reviewed by Division Director**

**If "NO", application & proposed permit action returned to State Mining Specialist/ Assistant State Mining Specialist for revision (go to \*)**

**Is application & proposed permit action complete/acceptable??**

**If "YES", the proposed permit action is issued by the Division Director**

**END OF PROCESS**

**If "NO", application & proposed permit action returned to Section Chief/State Mining Specialist for revision (go to \*)**

**APPLICATION FOR A MINING PERMIT**

**NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL QUALITY**

**APPLICATION FOR A MINING PERMIT**

(PLEASE PRINT OR TYPE)

1. Name of Mine \_\_\_\_\_ County \_\_\_\_\_  
River Basin \_\_\_\_\_  
Latitude (decimal degrees to four places) \_\_\_\_\_  
Longitude (decimal degrees to four places) \_\_\_\_\_
2. Name of Applicant\* \_\_\_\_\_
3. Permanent address for receipt of official mail\*\* \_\_\_\_\_  
\_\_\_\_\_  
Telephone ( ) \_\_\_\_\_ Alternate No. ( ) \_\_\_\_\_
4. Mine Office Address \_\_\_\_\_  
\_\_\_\_\_ Telephone ( ) \_\_\_\_\_
5. Mine Manager \_\_\_\_\_
6. E-mail Address: \_\_\_\_\_

**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**

**APPLICATION FOR A MINING PERMIT**

**provided before this application can be considered complete. Attach additional sheets as needed.**

## APPLICATION FOR A MINING PERMIT

**NOTE:** All of 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 of the following that apply:

- If 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 that 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: \_\_\_\_\_

- If this is an application for a **MODIFICATION** to a mining permit, indicate the mining permit number and the total (overall) acreage covered by the existing permit.  
Mining Permit No.: \_\_\_\_\_ 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 (this is the acreage that the "major modification" fee will be based upon): \_\_\_\_\_

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 this acreage to be added to the permit, will any portion of this acreage be affected (i.e.: disturbed, ground cover removed) by the mining operation? Yes  No  (If no, a "minor modification" fee of \$100.00 is required, despite the "undisturbed" acreage to be added). If yes, indicate the acreage to be affected within the acreage to be added to the permit (the total acreage to be added to the permit is the acreage that the "major modification" fee will be based upon): \_\_\_\_\_

- If this is an application for **TRANSFER** of a mining permit, indicate the mining permit number and the total (overall) acreage covered by the existing permit.  
Mining Permit No.: \_\_\_\_\_ Total permitted acreage: \_\_\_\_\_

**SEE THE FEE SCHEDULE AT THE END OF THIS FORM FOR THE PROPER FEE AMOUNT TO BE PAID FOR THE REQUESTED PERMIT ACTION(S) AND CORRESPONDING ACREAGE NOTED ABOVE**

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

3. Mining method:

- Hydraulic Dredge       Front-end Loader & Truck       Shovel & Truck  
 Dragline & Truck       Self-loading Scraper

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

4. a. Expected maximum depth of mine (feet) \_\_\_\_\_  
Depth is relative to what benchmark? (e.g., natural ground level, mean sea level, road elevation, etc.) \_\_\_\_\_

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

5. Has any area(s) at this site been mined in the past? Yes  No   
If yes, when and by whom was this activity conducted? \_\_\_\_\_

## APPLICATION FOR A MINING PERMIT

6. Number of years for which the permit is requested (Life of the Mining Operation or Life of Lease from Public Entity): \_\_\_\_\_

### 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, North Carolina 27699-1612  
(919) 733-2423

OR

Physical Address:

512 North Salisbury Street, 5<sup>th</sup> Floor  
Raleigh, North Carolina 27604

[http://portal.ncdenr.org/web/lr/geological\\_home](http://portal.ncdenr.org/web/lr/geological_home)

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

North Carolina Department of Transportation – Geographic Information Systems (GIS)

Mailing Address:

NCDOT GIS Unit  
1587 Mail Service Center  
Raleigh, North Carolina 27699-1587

Physical Address:

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

<http://www.ncdot.org/it/gis/>

2. 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 (see minimum requirements listed below) to clearly illustrate the following, **at a minimum:**
- 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.
  - Existing or proposed permit boundaries.
  - Initial and ultimate limits of clearing and grading.
  - Outline and width of all buffer zones (both undisturbed and unexcavated).
  - Outline and acreage of all pits/excavations.
  - Outline and acreage of all stockpile areas.
  - Outline and acreage of all temporary and/or permanent overburden disposal areas.
  - Location and acreage of all processing plants (processing plants may be described as to location and distance from mine if sufficiently far removed).
  - Locations and names of all streams, rivers and lakes.
  - Outline and acreage of all settling and/or processing wastewater ponds.
  - Location and acreage of all planned and existing access roads and on-site haul roads.
  - Location of planned and existing on-site buildings.
  - Location and dimensions of all proposed sediment and erosion control measures.
  - Location of 100-year floodplain limits and wetland boundaries.
  - 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.



## APPLICATION FOR A MINING PERMIT

- 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. Name of applicant
  - 2. Name of mine
  - 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:

<u>PERMITTED ACREAGE</u>	<u>MAP SCALE</u>
0-49 Acres	1 inch = 50 feet
50-199 Acres	1 inch = 100 feet
200+ Acres	1 inch = 200 feet

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

## APPLICATION FOR A MINING PERMIT

A table/chart must be provided on the mine map that clearly lists the approximate acreage of tailings/sediment ponds, stockpiles, wastepiles, processing area/haul roads, mine excavation 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:

CATEGORY	AFFECTED ACREAGE
Tailings/Sediment Ponds	
Stockpiles	
Wastepiles	
Processing Area/Haul Roads	
Mine Excavation	
Other (Explain)	
Total Disturbed Acreage	

**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 IN THIS APPLICATION FORM (*PLEASE NOTE THE ITALICIZED QUESTIONS/STATEMENTS THROUGHOUT THE FORM*). THIS APPLICATION WILL NOT BE CONSIDERED COMPLETE WITHOUT ALL RELEVANT ITEMS BEING ADEQUATELY ADDRESSED ON THE MINE MAPS.**

## APPLICATION FOR A MINING PERMIT

### C. PROTECTION OF NATURAL RESOURCES

1. Describe in detail the sequence of events for the development and operation of the mine and *reference the sequence to the mine map(s)*. Attach additional sheets as needed.
  
2. Describe specific erosion control measures to be installed prior to land disturbing activities and during mining to prevent offsite sedimentation (*include specific plans for sediment and erosion control for mine excavation(s), waste piles, access/mine roads and process areas*), and give a detailed sequence of installation and schedule for maintenance of the measures. *Locate and label all sediment and erosion control measures on the mine map(s) and provide typical cross-sections/construction details of each measure*. Engineering designs and calculations are required to justify the adequacy of any proposed measures.
  
3. a. Will the operation involve washing the material mined, recycling process water, or other waste water handling? Yes  No . If yes, briefly describe all such processes including any chemicals to be used.
  
- b. Will the operation involve discharging fresh or waste water from the mine or plant as a point discharge to the waters of the State? Yes  No . *If yes, briefly describe the nature of the discharge and locate all proposed discharge points (along with their method of stabilization) on your mine map(s)*.

## APPLICATION FOR A MINING PERMIT

- 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 .
- If yes, what impact, if any, will mine dewatering have on neighboring wells? Estimated withdrawal rate in gallons per day: \_\_\_\_\_ . *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 statements 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?

## APPLICATION FOR A MINING PERMIT

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.

## APPLICATION FOR A MINING PERMIT

- b. *Provide a cross-section on the mine map(s) for all fill slopes (berms, wastepiles, 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.*
  
  - c. *In excavation(s) of unconsolidated (non-rock) materials, specify the angle of all cut slopes including specifications for benching and sloping. Cross-sections for all cut slopes must be provided on the mine map(s).*
  
  - d. *In hardrock excavations, specify proposed bench widths and heights in feet. Provide cross-sections of the mine excavation clearly noting the angles of the cut slopes, widths of all safety benches and mine benches, and the expected maximum depth of the excavation.*
7. Describe other methods to be taken during mining to prevent physical hazard to any neighboring dwelling house, public road, public, commercial or industrial building from any mine excavation. *Locate all such structures on the mine map if they are within 300 feet of any proposed excavation.*
8. Describe what kind of barricade will be used to prevent inadvertent public access along any high wall area and when it will be implemented. *Vegetated earthen berms, appropriate fencing and adequate boulder barriers may be acceptable high wall barricades. A construction detail/cross-section and location of each type of barricade to be used must be indicated on the mine map(s).*

## APPLICATION FOR A MINING PERMIT

9. Are acid producing minerals or soils present? Yes  No .
- If yes, how will acid water pollution from the excavation, stockpiles and waste areas be controlled?
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).*

## APPLICATION FOR A MINING PERMIT

### 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 a 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 more shallow 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.*



## APPLICATION FOR A MINING PERMIT

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.**

**APPLICATION FOR A MINING PERMIT**

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** (pounds/acre):

**SEED - TYPE(S) AND RATE(S) OF APPLICATION INCLUDING YEAR-ROUND SEEDING SCHEDULE** (pounds/acre): [NOTE: Include Legumes]

**Seed Types:**

**Seeding Dates:**

**Seeding Rates:**

**MULCH - TYPE AND RATE OF APPLICATION** (pounds/acre) **AND METHOD OF ANCHORING:**

**OTHER VEGETATIVE COVERS – TYPE (S) AND RATE (S) OF APPLICATION INCLUDING SEEDING SCHEDULE** (pounds/acre, trees/acre, spacing of trees/shrubs, etc):

Revegetation and/or reforestation plan approved by:

Signature \_\_\_\_\_ Date \_\_\_\_\_

Print Name \_\_\_\_\_

Title \_\_\_\_\_

Agency \_\_\_\_\_

**APPLICATION FOR A MINING PERMIT**

**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.	=	\$ _____
Wastepiles:	_____ Ac.	X	\$ _____/Ac.	=	\$ _____
Processing Area/Haul Roads:	_____ Ac.	X	\$ _____/Ac.	=	\$ _____
Mine Excavation:	_____ Ac.	X	\$ _____/Ac.	=	\$ _____
Other:	_____ Ac.	X	\$ _____/Ac.	=	\$ _____
<b>TOTAL AFFECTED AC.:</b>	_____ <b>Ac.</b>				
<b>(TOTAL PERMITTED AC.:</b>	_____ <b>Ac.)</b>				

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:

0.02 X SUBTOTAL COST: \$ \_\_\_\_\_ X Permit Life Provided by Applicant (Life of the Mining Operation or Life of Lease from Public Entity (in Years)): \_\_\_\_\_

**INFLATION COST: \$ \_\_\_\_\_**

**Total Reclamation Bond Cost: \$ \_\_\_\_\_**  
 (round down to the nearest \$100.00)  
 (NOTE: The reclamation bond cannot exceed \$1 million per GS 74-54)

## APPLICATION FOR A MINING PERMIT

### 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"**

## NOTICE

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

\_\_\_\_\_ has applied on \_\_\_\_\_  
(Applicant Name) (Date)

to the Division of Energy, 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) (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)

**APPLICATION FOR A MINING PERMIT**

**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: \_\_\_\_\_

# APPLICATION FOR A MINING PERMIT

## 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 (see next page for fee schedule) 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.

# APPLICATION FOR A MINING PERMIT

## 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:

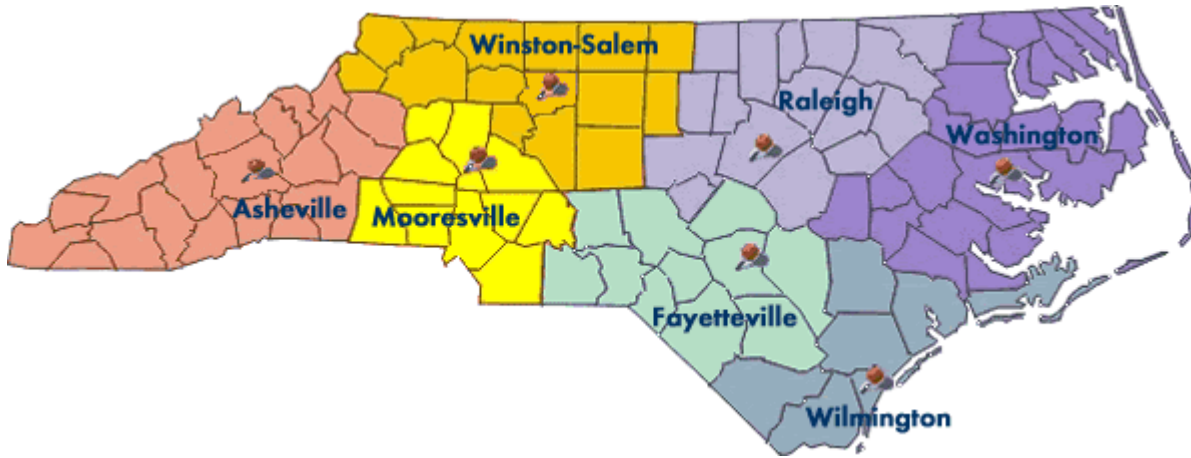
	<u>0-25 acres</u>	<u>26+acres</u>
New Permit Applications	\$3,750.00	\$5,000.00
Permit Modifications	\$750.00	\$1,000.00
Permit Transfers	\$100.00	\$100.00
Annual Operating Fee	\$400.00	\$400.00

Acres for new permits means the total acreage at the site. Acres for modification of permits means that area of land affected by the modification within the permitted mine area, or any additional land that is to be disturbed and added to an existing permitted area, or both.



## APPLICATION FOR A MINING PERMIT

There are seven Division of Energy, Mineral, and Land Resources (DEMLR) Regional Offices. Use the map below to locate the Regional Office serving your county.



### **Asheville Regional Office**

- Counties: Avery, Buncombe, Burke, Caldwell, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, Macon, Madison, McDowell, Mitchell, Polk, Rutherford, Swain, Transylvania, Yancey
- Address: 2090 U.S. Highway 70, Swannanoa, NC 28778
- Voice: 828.296.4500
- FAX: 828.299.7043

### **Fayetteville Regional Office**

- Counties: Anson, Bladen, Cumberland, Harnett, Hoke, Montgomery, Moore, Richmond, Robeson, Sampson, Scotland
- Address: 225 Green Street, (Systel Building), Suite 714, Fayetteville, NC 28301-5094
- Voice: 910.433.3300
- FAX: 910.486.0707

### **Mooresville Regional Office**

- Counties: Alexander, Cabarrus, Catawba, Cleveland, Gaston, Iredell, Lincoln, Mecklenburg, Rowan, Stanly, Union
- Address: 610 East Center Ave., Suite 301, Mooresville, NC 28115
- Voice: 704.663.1699
- FAX: 704.663.6040

### **Raleigh Regional Office**

- Counties: Chatham, Durham, Edgecombe, Franklin, Granville, Halifax, Johnston, Lee, Nash, Northampton, Orange, Person, Vance, Wake, Warren, Wilson
- Address: 1628 Mail Service Center, Raleigh, NC 27699-1628 or 3800 Barrett Drive, Raleigh, NC 27609
- Voice: 919.791.4200
- FAX: 919.571.4718

### **Washington Regional Office**

- Counties: Beaufort, Bertie, Camden, Chowan, Craven, Currituck, Dare, Gates, Greene, Hertford, Hyde, Jones, Lenoir, Martin, Pamlico, Pasquotank, Perquimans, Pitt, Tyrrell, Washington, Wayne
- Address: 943 Washington Square Mall, Washington, NC 27889
- Voice: 252.946.6481
- FAX: 252.975.3716

# APPLICATION FOR A MINING PERMIT

## LAND QUALITY REGIONAL OFFICES (continued)

### Wilmington Regional Office

- Counties: Brunswick, Carteret, Columbus, Duplin, New Hanover, Onslow, Pender
- Address: 127 Cardinal Drive Extension, Wilmington, NC 28405
- Voice: 910.796.7215
- FAX: 910.350.2004

### Winston-Salem Regional Office

- Counties: Alamance, Alleghany, Ashe, Caswell, Davidson, Davie, Forsyth, Guilford, Rockingham, Randolph, Stokes, Surry, Watauga, Wilkes, Yadkin
- Address: 1450 Hanes Mill Road, Suite 300, Winston-Salem, NC 27103
- Voice: 336.776.9800
- FAX: 336.771.4631

# APPLICATION FOR A MINING PERMIT

## SCHEDULE OF RECLAMATION COSTS (Based upon range of \$500 - \$5,000 per affected acre)

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

<u>Type</u>	<u>T/S Ponds</u>	<u>S.piles</u>	<u>W.piles</u>	<u>P.area/H.R.</u>	<u>Mine Excav.</u>
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 sideslopes

(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.**