3.11 NON-COAL MINING PERMIT

Question: Will earthen material (topsoil, sand, gravel, clay, stone, minerals) be removed from my property? AND Will the disturbance, including roads, stockpiles and drainage controls exceed one acre in size?

Why do I need this approval?

Mining of non-coal minerals (sand, gravel, clay, limestone, granite, shale and dimension stone) is an essential activity making an important contribution to the economic well-being of the State. To minimize the effects of mining on the environment, provide proper land reclamation, and ensure public safety, a permit is required to conduct surface mining.

(NOTE: Pending regulations will require special approval from the Department regarding the use of coal combustion byproducts for reclamation in a surface mining operation.)

What laws or regulations give MDE the legal authority to issue this approval?

STATE: Environment Article - Title 15, Subtitle 8; COMAR 26.21.01.

What is the process to get this approval?

1) An application for a permit is filed with the Department. A set of plans must be submitted with the application.
2) A detailed review is conducted by the Department including comments from other review agencies.
3) Once the application has been determined to be complete, an opportunity for a public hearing will be provided.
4) A decision on the application will be made within 30 days of the close of the record of the public hearing.
5) Submit application, plans and fee to:
Maryland Department of the Environment
Mining Program
P.O. Box 2057
Baltimore, MD 21203-2057

Before I apply for this approval, do I need to get any approvals from the local or federal government?

Local approvals must be obtained from local planning & zoning authorities, soil conservation districts, and county/state road departments.

Is this approval directly related or contingent on other approvals?

No.

Are there any other requirements?

PRE-APPROVAL: All other related permits (discharge permits, construction general permit, general permit for mining and water appropriation permit for dewatering, etc) must be obtained prior to issuance of a surface mining permit. A performance bond of $1,250 per acre is required. A final inspection will be made by the Department prior to bond release.

How long should I expect it to take to get this approval once I submit a complete application?

7 months

Once I get this approval, how long will it last?

Maximum of five years, can be renewed.

How much will this approval cost?

<table>
<thead>
<tr>
<th>Type of Fee</th>
<th>Fee</th>
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<tbody>
<tr>
<td>Permit fee</td>
<td>$12 per acre per year</td>
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<td></td>
<td>($1,000 maximum)</td>
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<tr>
<td>Special reclamation fee</td>
<td>$30 per acre</td>
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<tr>
<td>Right of entry recording</td>
<td>$40.50</td>
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Who do I contact with additional questions?

C. Edmon Larrimore
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Ed.Larrimore@maryland.gov
(410) 537-3557

Related link:
https://mde.maryland.gov/programs/Land/Pages/landpermits.aspx