

# Non-Metallic Mining Reclamation Permit Site Exemption Request

## **Operator (see Definitions below)**

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Name \_\_\_\_\_  
Address \_\_\_\_\_  
City, State, Zip \_\_\_\_\_  
Phone Number \_\_\_\_\_

## **Landowner (see Definitions below)**

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Name \_\_\_\_\_  
Address \_\_\_\_\_  
City, State, Zip \_\_\_\_\_  
Phone Number \_\_\_\_\_

## **Property Information**

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\_\_\_\_\_ 1/4, \_\_\_\_\_, Section \_\_\_\_\_ T \_\_\_\_\_ N, R \_\_\_\_\_ E/W  
Town, City, Village of \_\_\_\_\_  
Tax Parcel Number(s) \_\_\_\_\_

\*If there are additional contiguous parcels, provide information on an attached sheet.

## **Definitions**

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“Landowner” means the person who has title to land in fee simple or who holds a land contract for the land. A landowner is not a person who owns nonmetallic mineral rights to land, if a different person possesses title to that land in fee simple or holds a land contract for that land.

“Operator” means any person who is engaged in, or who has applied for a permit to engage in, nonmetallic mining, whether individually, jointly or through subsidiaries, agents, employes, contractors or subcontractors.

## **Exemptions**

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The site may qualify for an exemption for the following reasons (place an X next to any that apply to the site):

\_\_\_\_ (1) Nonmetallic mining at a site or that portion of a site that is subject to permit and reclamation requirements of the WI DNR under sec . 30.19, 30.195 or 30.20, Stats., and complies with Chapter NR340, Wisconsin Administrative Code.

\_\_\_\_ (2) Excavations subject to the permit and reclamation requirements of sec. 30.30 or 30.31, Stats.

\_\_\_\_ (3) Excavations or grading by a person solely for domestic or farm use at the person’s residence or farm.

\_\_\_\_ (4) Excavations or grading conducted for the construction, reconstruction, maintenance or repair of a highway, railroad, airport facility, or any other transportation facility where the excavation or grading is entirely within the property boundaries of the transportation facility.

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\_\_\_\_(5) Grading conducted for preparing a construction site or restoring land following a flood or natural disaster.

\_\_\_\_(6) Excavations for building construction purposes conducted on the building site.

\_\_\_\_(7) Nonmetallic mining at nonmetallic mining sites that affects less than one acre of total area over the life of the mine.

\_\_\_\_(8) Any mining operation, the reclamation of which is required in a permit obtained under ch. 293, Stats.

\_\_\_\_(9) Any activities required to prepare, operate or close a solid waste disposal facility under ch. 289, Stats., or a hazardous waste disposal facility under ch. 291, Stats., that are conducted on the property where the facility is located, but an applicable nonmetallic mining reclamation ordinance and the standards established in this ordinance apply to activities related to solid waste or hazardous waste disposal that are conducted at a nonmetallic mining site that is not on the property where the solid waste or hazardous waste disposal facility is located, such as activities to obtain nonmetallic minerals to be used for lining, capping, covering or constructing berms, dikes or roads.

\_\_\_\_(10) (a) Nonmetallic mining conducted to obtain stone, soil, sand or gravel for construction, reconstruction, maintenance or repair of a highway, railroad, airport, or any other transportation facility or part thereof, if the nonmetallic mining is subject to the requirements of the Wisconsin Department of Transportation concerning the restoration of the nonmetallic mining site.

(b) This exemption only applies to a nonmetallic mining operation with limited purpose and duration where the Wisconsin Department of Transportation actively imposes reclamation requirements and the operator reclaims the nonmetallic mining site in accordance with these requirements. The duration of the exemption shall be specific to the length of the Wisconsin Department of Transportation contract for construction of a specific transportation project.

(c) If a nonmetallic mining site covered under pars. (a) and (b) is used to concurrently supply materials for projects unrelated to the Wisconsin Department of Transportation project, the exemption in this paragraph still applies, provided that the site is fully reclaimed under Wisconsin Department of Transportation contract and supervision.

\_\_\_\_(11) Dredging for navigational purposes, to construct or maintain farm drainage ditches and for the remediation of environmental contamination and the disposal of spoils from these activities.

\_\_\_\_(12) The primary purpose of the excavation is unrelated to nonmetallic mining, and sale or use of the excavated material is only incidental to the primary purpose of the excavation. Determinations for this shall be performed on a case by case basis and in concurrence with the WI DNR.

\_\_\_\_(13) Nonmetallic mining does not include removal from the earth of products or commodities that contain only minor or incidental amounts of nonmetallic minerals, such as commercial sod, agricultural crops, ornamental or garden plants, forest products, Christmas trees or plant nursery stock.

