



PROTECTION OF NATURAL RESOURCES and OTHER PERMIT REQUIREMENTS Instruction Sheet for Section 3

O.S. Title 45 Section 724

1. Each application for a new operation shall contain, where applicable, a list of all other licenses and permits needed by the applicant to conduct the proposed mining operation. This list shall identify each license and permit by:

- 1. Type of permit or license;*
- 2. Name and address of issuing authority;*
- 3. Identification number or a copy of the application for permits or licenses or, if issued, a copy of the permit or license; and*
- 4. If a decision has been made, the date of approval or disapproval by each issuing authority.*

An existing operation which does not have on file a list of the applicable licenses or permits with the Department on the date of enactment of this act shall not be out of compliance with the provisions of this section. Any renewal of an existing permit or expansion or amendment to an existing operation upon time of application shall submit a copy of all approved licenses and permits issued by other agencies or jurisdictions.

Identifications of all permits and licenses shall include local government agencies with jurisdiction over or an interest in the area of the proposed mining operation including, but not limited to, planning agencies, water and sewer authorities; and all state and federal government agencies with authority to issue permits and licenses applicable to the proposed mining operation, including all state environmental agencies, U.S. Army Corps of Engineers, U.S. Department of Agriculture Natural Resources Conservation Service district office, and federal fish and wildlife agencies.

- A. (REVISION):** If the application that has been submitted is considered an amendment to the existing permit on file with the Department, please submit copies of all the permits issued for your operation.
- B. (NEW APPLICATION)** In response to Section 3 of the non-coal permit application submitted, if your operation indicates the following:
 - Crushing Material
 - Washing Material or recycling processed water
 - Will involve dewatering the mine or discharging fresh or waste water
 - Fall within the jurisdictional requirement of the storm water regulations
 - Operate within the boundaries of a river or stream

Based on your response, please provide the Department with evidence of your communications with the appropriate agency or board. This shall include either a notification from the specific regulatory body, a copy of the correspondence that was sent by you to the regulatory body, a copy of the application that has been filed with the regulatory body or a clearance letter from the regulatory body.

Please be advised the permitting process may not proceed further until this issue is addressed.

PROTECTION OF NATURAL RESOURCES

Section 3

ODM Permit Number _____
(Office Use Only)

Date _____

Name of Company, Corporation, Partnership, Individual

Telephone Number

Mailing Address

City

State

Zip Code

Yes No 1. Will this operation involve crushing or any other air contaminant emissions?

If you indicated Yes, please be advised that a permit may be required from the Air Quality Division of the Oklahoma Department of Environmental Quality. Please contact the agency for their respective requirements.

Yes No 2a. Will explosives be used?

If Yes, review the Blasting Regulations and complete the Blasting Plan. The plan should accompany the permit application upon submission. In order to purchase, use, or store explosives on a permit, the permittee must also have a Blasting Permit Exemption.

Yes No 2b. Does the permittee have a current Blasting Permit Exemption?

If Yes, provide Blasting Permit Exemption number _____. If No, complete the Blasting Permit Exemption in addition to the Blasting Plan. If explosives will be used, a mining permit will not be issued until a plan and exemption are secured.

Yes No 3a. Will the operation involve washing the material mined, recycling processed water or other water handling?

Yes No 3b. Will the operation involve dewatering the mine or discharging fresh or wastewater from the mine or plant?

Yes No 3c. Does this operation fall within the jurisdictional requirements of the stormwater regulations of the Oklahoma Department of Environmental Quality?

If you indicated Yes to either 3a, 3b, or 3c, please be advised that a permit may be required from either the Department of Environmental Quality, Oklahoma Water Resources Board, or the Army Corps of Engineers. Please contact each agency for its respective requirements.

Yes No 4. Will this operation involve removing minerals from within any boundaries of river or streambed?

If you indicated Yes, please complete the following questions regarding the type of stream and its name and location. If you indicated no, please proceed to Section 4.

5a. What is the name of the stream or river? _____

5b. Which of the following classifies this stream or river? Please refer to OAC 460:10-13-2 for descriptions of each.

High Quality Water (HQW)

Outstanding Resources Waters (ORW)

Scenic River Area

None of the above

Please note: Certain permitting and operating procedures are required for mining permits in these environmental areas. Please refer to 460:10-13-3 for the requirements

Yes No 6. Does your operation overlie a sensitive sole source groundwater basin or subbasin?

Effective August 1, 2011, if you indicated Yes, this operation falls within the permitting guidelines Established by SB 597. You must contact the Oklahoma Water Resources Board to comply with additional permitting requirements.

7. How wide a buffer will be maintained between any mining activity and any mining permit boundary or right-of-way at this site? Show all buffer locations and widths on the mine map(s). All buffers must be located with the permit boundaries.

O.S. Title 45, Chapter 8, Section 730 "In the case of strip mining operations which remove and do not replace lateral support, unless pursuant to written agreement between the operator and the adjacent property owner, the top of the consolidated material of the open cut adjacent to the property line of other property not owned or leased by the operator shall, at the time mining is completed, not be closer to such other property line than a distance of twenty-five (25) feet plus one and one-half (1 ½) times the depth of such cut as measured from original ground surface to the top of consolidated material."

OTHER LICENSES AND PERMITS

- Yes No 8. Has any other agency, local, county, state, or federal, been contacted to ascertain the need for other licenses and permits with respect to this operation?

If you indicated no other agencies have been contacted, please be advised failure to obtain all the permits necessary for a mining operation may result in issuance of a permit violation or an interruption in mining activity until the required permits are secured.

Please refer to the Non-Coal Permitting Guidelines and Summary and the Notice below regarding other possible governing entities that may need to be contacted. Provide a list of all other licenses and permits needed for this mining operation. If a license or permit has been issued, please provide the Permit Identification Number and date of Approval or a copy of said permit or license. (Title 45 SS 724 I.) If a permit or license is pending, please provide copies of your applications or Notices of Intent (N.O.I.) that have been submitted to other agencies.

If this application is for a revision to an existing permit, copies of all issued permits must be included.

Agency	Identification Number	Date of Approval
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Please Note: A special permit to operate within certain municipalities or counties may be required. It is the responsibility of each applicant to contact the appropriate city or county officials to determine if the mining operation falls within their respective jurisdiction.

Specialized Processing or Manufacturing

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| Yes | No | 9. Will specialized processing or manufacturing be conducted on site with the material mined that is not directly associated to mining? This includes specialized processing of the material <i>after</i> mining and processing by a plant site immediately after excavation of the material. This product would be unique in nature and produced from the material mined. This specialized processing or manufacturing facility might not be part of the mining process, and thereby, not included in the permit area requested in the application. |
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If yes was indicated, please provide ODM with a detailed narrative of the activity. The location of the specialized processing facility will need to be disclosed on the mining map. The description should include the equipment used and a flow chart showing the process. Once the description of the process is reviewed, a determination of applicability will be made by the Department. If the Department finds that the process is not directly associated with the mining, this area may be removed from permit consideration.