



NR-135 Non-Metallic Mining Reclamation Program

(for the Counties of Calumet, Outagamie, Winnebago, Waupaca, and Shawano)

'Interim' and 'Final' Reclamation Certification

NR 135 requires that active (un-reclaimed) areas of a mine site be stabilized and reclaimed to the specifications of the approved non-metallic mine reclamation plan. Two methods exist which can be used to decrease the overall site's annual fees or levels of financial assurance: 'interim' and 'final' reclamation certifications. The intent of the ordinance requirements is to encourage stabilization or reclamation of the site as soon as possible after the mineral resource is depleted. This fact sheet explains more detailed aspects of both the NR-135 requirements and the more specific aspects of procedures which will be employed by East Central to process 'interim' and 'final' reclamation requests. The appropriate non-metallic mining reclamation ordinance and/or NR-135 should be reviewed for more detailed information.

General Submittal Requirements & Process:

The Applicant shall submit the required Interim/Final Reclamation Inspection Request Form which includes:

- ? Site and contact information;
- ? The exact amount of acreage requested for certification (acreage will be rounded to the nearest whole acre for fee calculation purposes);
- ? A map clearly outlining the extent of the area requested for certification;
- ? A map illustrating the approximate slope(s) and topography of the requested certification area;
- ? A listing and/or map of vegetation type(s) present/planted and approximate date(s) of initial planting;
- ? A description and/or map of any temporary and permanent erosion control or stabilization methods/structures;
- ? An estimate of the dollar amount expended on reclaiming that portion of the site and/or a cost estimate for the completion of the final reclamation on that portion of the site;

(Note: Use copies of the approved reclamation plan map as a 'basemap' where possible).

When certification is requested, East Central staff will review the submitted materials against the requirements and/or approved reclamation plan and will schedule a site inspection date within one to two weeks of receipt. Staff would prefer that the requests for inspections and certification coincide at, or near, the peak of the growing season in order to adequately assess re-vegetation standards. Staff will compare the site conditions against the submitted materials and applicable NR-135 standards to ensure safe, stable, and environmentally sound interim or final conditions. The inspection and a written certification (if approved) will be completed within 60 days of the request.

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Interim Reclamation Criteria & Approvals:

In addition to the previously listed application requirements, the area to be certified as ‘interim reclaimed’ shall meet the following criteria:

1. The area is part of a previously approved ‘unreclaimed’ area (B or C Area);
2. The area is at least one acre in size;
3. The area has had been allowed to re-vegetate for at least a 6-months prior to the certification request;

If ‘interim reclamation’ status is certified, East Central Planning will, on the next calendar year, remove the acreage from the annual fee calculation. Financial assurance levels (and costs) may not be eliminated entirely on areas receiving this certification (unless the applicant is a governmental unit); however, the applicant may submit revised reclamation estimates for the ‘interim reclaimed’ portion at the time of request. Staff will review the estimates against the approved portion of the reclamation plan and will reduce, as appropriate, the amount of financial assurance required.

Final Reclamation Criteria and Approvals:

In addition to the previously listed application requirements, the area to be certified as ‘final reclaimed’ shall meet the following criteria:

1. The area is part of a previously approved ‘unreclaimed’ area (B or C Area) or has previously received ‘interim reclamation’ certification status;
2. The area is at least one acre in size;
3. The area is identified as part of an **approved** non-metallic mining reclamation plan submitted under NR-135;
4. The area has had been allowed to re-vegetate for least a one year period (i.e., if area is to be certified in 2003, initial planting should have occurred at least 12 months prior);

If ‘final reclamation’ certification is given, East Central Planning will, on the next calendar year, remove the acreage from the annual fee calculation. Financial assurance requirements will also be eliminated from the certified portions of the site based on the area and amount of work still needed to complete final restoration. Staff will review the reduction estimate against the certified portion of the approved reclamation plan and will release an appropriate amount of financial assurance.

Other

Please note that areas certified for ‘interim’ or ‘final’ reclamation may be subsequently inspected and, such certification may be revoked if specified, or required, temporary or long-term site maintenance practices are not adhered to.



For more information contact: Eric W. Fowle, AICP – NR-135 Coordinator, or Scott Konkle, Reclamation Specialist, at (920) 751-4770, or visit East Central’s website at www.eastcentralrpc.org for a copy of this document as well as other materials and links related to the non-metallic mining reclamation program.