



INDIVIDUAL OPEN-CUT AND IN-STREAM MINING PERMIT APPLICATION CHECKLIST

The below listed items are the minimum requirements for an administratively/technically complete permit application submission and is referenced by rule section. Attach each numbered item listed below and include a narrative description and/or illustration of the regulatory areas where applicable.

- I. Two signed (owner, corporate officer, agent) and notarized original permit application forms [Rule 15.302(A)(1)(a) and Rule 15.303(B)]:
 - A. An agent shall provide proof of power of attorney. [Rule 15.503(C)]
 - B. An applicant for a new or major modification of an existing stream bed mining permit shall make a reasonable effort to notify all adjacent land owners that a complete application for a stream bed mining permit is on file with the Department. This notice shall also contain the applicant's name, mailing address, type of mine, commodity to be mined, and the location of the mine. The land owners shall be notified at the same time that the permit application is submitted to the Department in accordance with [Rule 15.303(G)].
- II. Permit application fee [Rule 15.302(A)(1)(b)] – select applicability below:
 - A. Rule 15.304(A) – \$10 per acre with a \$200 minimum for a new permit.
 - B. Rule 15.311(C) – Permit renewal/modification without adding acreage - \$100 fee.
 - C. Rule 15.311(D)(2) – Permit renewal/modification with adding acreage - \$100 Permit renewal/modification fee plus the fee for the new acreage at the same rate listed in Rule 15.304(A).
- III. Proof of right to mine [Rule 15.302(A)(1)(c)]
 - A. A lease agreement signed by owner and operator, containing a legal description of the area to be permitted [Rule 15.305(A)(1)].
 - B. A copy of the land deed containing a legal description of the property [Rule 15.305(A)(2)].
 - C. A copy of a letter from the land owner expressly giving the operator permission to mine and containing a legal description of the land, and signed and notarized by the landowner [Rule 15.305(A)(3)].
 - D. Where mineral rights have been severed from the surface rights, an agreement signed by the mineral rights holder, the surface rights holder, and the applicant must be provided. The agreement shall contain legal descriptions of the mineral and surface rights, identify the conditions of the agreement, and give the applicant permission to conduct mining. Proof of ownership of both the surface right and mineral rights must be provided.
- IV. Maps [Rule 15.302(A)(1)(d)] The applicant shall attach a minimum of one vicinity map, one site map and one reclamation map to scale [Rule 15.306(A)]:
 - A. Original 7.5 min. USGS topographic quadrangle vicinity map [Rule 15.306(A)(1)], illustrating areas listed below:
 1. Permit Area [Rule 15.306(A)(1)(a)],
 2. Legal Description [Rule 15.306(A)(1)(b)],
 3. Site Entrance [Rule 15.306(A)(1)(c)],
 4. If the mine site is greater than 40 acres, all the above information must be illustrated on this map, as prepared

- by Arkansas Registered Land Surveyors or Engineers [Rule 15.306(A)(2)(a)], and
5. Smaller sites may show the mine location and site entrance where the legal description and permit areas are shown on the site and reclamation maps.
- B. Scaled site map [Rule 15.306(A)(2)] illustrating areas listed below:
1. The permit area must illustrate dimensions and elevations tied to temporary reference points outside the permit area [Rule 15.306(A)(2)(a)],
 2. Affected and unaffected areas [Rule 15.306(A)(2)(b)],
 3. Dimensions and elevations before and after mining [Rule 15.306(A)(2)],
 4. Diversion ditches and flow patterns in the event decant ponds are used [Rule 15.306(A)(2)(c)],
 5. Precautions to avoid affecting nearby water bodies Rule 15.306(A)(2)(d),
 6. Identification of any diversions used to channel water from sensitive areas including flow patterns [Rule 15.306(A)(2)(e)],
 7. Mining plan map [Rule 15.306(A)(2)(f)]:
 - a. Mining increments, if proposed [Rule 15.307(A)(5)], and
 - b. Process Ponds [Rule 15.307(A)(2)].
 8. For an In-Stream application, the site map is to show adjacent property lines when the property boundaries are defined by the centerline of the stream [Rule 15.305(A)(5)]. If the mine site is greater than 40 acres, or smaller sites if determined by ADE&E to be necessary, this map must be prepared by AR Registered Professional Land Surveyor or Registered Professional Engineer [Rule 15.306(A)(2)(a)].
- C. Scaled Reclamation Map [Rule 15.306(A)(3)] illustrating areas listed below:
1. Permit area [Rule 15.306(A)(3)(a)],
 2. Roads remaining after reclamation [Rule 15.306(A)(3)(b)],
 3. Water impoundments remaining after reclamation [Rule 15.306(A)(3)(c)],
 4. Areas to be re-vegetated [Rule 15.306(A)(3)(d)],
 5. Unaffected areas [Rule 15.306(A)(3)(e)], and
 6. Appurtenances remaining after reclamation [Rule 15.306(A)(3)(f)].
- V. Mining Plan [Rule 15.302(A)(1)(e)]- Provide a narrative description and/or illustration of the required regulatory areas listed below:
- A. Provisions to prevent un-permitted releases of water (storm water, pit dewatering, process water, etc.) from the site [Rule 15.307(A)(1)],
1. Descriptions of functions of ponds (process, sediment control, water supply, etc.) [Rule 15.307(A)(2)],
 2. The Operator is required to have water discharge permit issued prior to operations. [Rule 15.301(A)],
- B. Methods to restrict access and warn public [Rule 15.307(A)(3)],
1. Gates, fencing, barriers, and warning signs
 2. Site identification signs showing permit number, name, address, and telephone number of operator are to be posted at all entrances from public roads at all times until release of the bond [Rule 15.402(Q)],
- C. Plan to preserve topsoil [Rule 15.307(A)(4)]
1. Justification not to preserve topsoil (requires Director approval for special permit condition),
- D. Information on thickness of topsoil, overburden, and resource material [Rule 15.307(A)(6)],

- E. Description of incremental mining process (required on all sand and gravel operations [Rule 15.307(A)(7)]), if proposed on others [Rule 15.307(A)(5)],
 - F. Description of contemporaneous reclamation activities during operation (required on all sand and gravel operations) [Rule 15.307(A)(7)].
 - G. Provisions for spoil disposal [Rule 15.402(N)],
 - H. Buffer Zones
 - 1. 50' from property line or public right of way [Rule 15.402(K)],
 - 2. 100' from ordinary high water mark of any intermittent stream shown on the 7.5 minute quadrangle map [Rule 15.402(G)]
 - I. Provisions to submit annual report by July 1 [Rule 15.402(M)], and
 - J. Description of materials processing
 - 1. Process ponds [Rule 15.307(A)(2)].
- VI. Reclamation Plan [Rule 15.308] - Provide a narrative description and/or illustration of the required regulatory areas listed below:
- A. Intended post mining use of affected land [Rule 15.308(A)],
 - B. Description of contemporaneous reclamation during incremental mining (required on all sand and gravel operations) [Rule 15.308(A)(1)],
 - C. Two cross-sections each before and after mining [Rule 15.308(A)(2)]
 - D. Reclamation map showing planned reclamation goal [Rule 15.308(A)(3)],
 - E. Reclamation contour plan [Rule 15.308(A)(4)] - Select one or more option below:
 - 1. A 1:3 slope is required on all lands originally less than or equal to 1:3, or in ponds 1:3 sloped to a point below seasonal low water design [Rule 15.308(4)(a)],
 - 2. Less than 1:3 slope justification where original slope was steeper than 1:3 [Rule 15.308(4)(b)]
 - 3. Terracing where materials are consolidated [Rule 15.308(4)(c)]:
 - a. Top of excavation fenced [Rule 15.308(4)(c)(ii)],
 - b. Top terrace 10 feet below top of excavation [Rule 15.308(4)(c)(iii)],
 - c. Remaining terraces no more than 20 feet [Rule 15.308(4)(c)(iv)],
 - d. Terrace width no less than 10 feet [Rule 15.308(4)(c)(v)], and
 - e. Terrace revegetated with trees or other cover [Rule 15.308(4)(c)(vi)].
 - F. Earth Dams, Lakes and Impoundments if proposed:
 - 1. Engineering design plan [Rule 15.402(E)],
 - 2. 1:3 sloped to a point below seasonal low water design [Rule 15.308(4)(a)],
 - 3. Sound Engineering Practices - suitability of soil types, dams, levees, discharge structures, etc. (as applicable).
 - 4. Assurance for pH 6-9 control in any water impoundment or justify variance if applicable [Rule 15.308(A)(5)]
 - 5. Procedure for any water treatment, if applicable [Rule 15.308(A)(5)(a)], and
 - 6. Design and maintenance of diversion berms [Rule 15.308(A)(5)(b)]
 - G. Plan to cover acid forming minerals if necessary [Rule 15.308(A)(6)]
 - H. Reforestation Plan if reclamation plan includes planting of trees:
 - 1. Location of 10' fire lanes unless waived by the Department [Rule 15.308(A)(7)],

2. Planting guidelines as recommended by Arkansas Forestry Commission including provisions for erosion control [Rule 15.308(B)].
- I. List of varieties and seeding rates based on intended post reclamation use and guidance [Rule 15.308(A)(8)].
- J. Provisions for adding soil amendments [Rule 15.308(E)]:
 1. Provision for soil analysis.
- K. Plans for reuse of salvaged topsoil or bringing in topsoil [Rule 15.308(A)(9)].
- L. Plan for removing or preserving stockpiles [Rule 15.402(P)]
- M. Provisions for bank stabilization and erosion control (in-stream) [Rule 15.403(J)].
- N. Schedule for completion of reclamation [Rule 15.308(A)(10)]:
 1. Description of equipment removal and structures to remain [Rule 15.308(D)].
- VII. Bond determination detailing how cost factors are applied to implementing the proposed reclamation plan for determining reclamation cost [Rule 15.302(A)(1)(g)].
- VIII. Bond instrument [Rule 15.302(A)(1)(h) and Rule 15.309].
- IX. Disclosure statement signed by the applicant (owner, corporate officer or agent with power of attorney) and notarized [Rule 15.302(A)(1)(i)].
- X. Applicant must provide proof of a pending application or an issued permit/authorization for any of the applicable other permits/authorizations issued by Arkansas Department of Energy & Environment that may be required for a mine site:
 - A. Construction Stormwater permit [Office of Water].
 - B. Industrial Stormwater permit [Office of Water].
 - C. Individual Discharge permit [Office of Water].
 - D. Rule No. 2 Short Term Activity Authorization (needed for an in- stream mining permit) [Office of Water].
 - E. Air permit [Office of Air]:
 1. Rock Crusher,
 2. Processing Facility – example: gas fired drying plant.
- XI. Approved permit term:
 - A. The permit term of an open-cut mining permit will be issued for five (5) years after the permit approval date or for one (1) year less than the term of a lease, whichever is the shorter time period.
 - B. The permit term for an in-stream mining permit will be issued for the same period of time specified in the Rule No. 2 Short Term Activity Authorization issued by the Office of Water.