

LE SUEUR COUNTY PLANNING AND ZONING COMMISSION

UNIMIN MINNESOTA CORPORATION NORTH MINE
CONDITIONAL USE PERMIT
OTTAWA TOWNSHIP

NOVEMBER 02, 2010

CONDITIONS FOR UNIMIN NORTH MINE

Project Name: Unimin North Mine

Location: approximately 1015.50 acres in Conservancy "C", Agricultural "A", and Special Protection "SP" Districts. Property is located in Government Lot 1 and SE 1/4 of the SE 1/4 of Section 15; Government Lot 2 & 3, SW 1/4 of the NE 1/4, E 1/2 of the NE 1/4, SE 1/4, and the E 1/2 of the SW 1/4 of Section 22; S 1/2 of the NW 1/4 of Section 23; E 1/2, E 1/2 of the SW 1/4; and the E 1/2 of the NW 1/4 of Section 27 in Ottawa Township; and also part of Scott Brown, Hayes & Young's Addition to the Village of Ottawa, Ottawa Township.

See Appendix A for legal description.

I. GENERAL CONDITIONS

A. Compliance:

The Unimin Minnesota Corporation (hereinafter noted as UNIMIN) shall obtain and comply with all applicable county, state and federal permits and regulations. Actions regarding violations of the conditions of this permit or any Le Sueur County regulations shall follow procedures as specified in Sections 21 and 30 of the Le Sueur County Zoning Ordinance and any amendment thereof or any other applicable laws, rules or regulations then in effect.

In accordance with the schedule indicated on the table included in Appendix B, UNIMIN shall obtain or amend all required permits from the Minnesota Pollution Control Agency, Minnesota Department of Natural Resources, Minnesota Department of Health, United States Army Corps of Engineers and Le Sueur County and any other applicable government agency. UNIMIN shall submit evidence of all required permits to Le Sueur County.

B. Permit Review:

1. This Conditional Use Permit shall be reviewed as provided for in Section 21 of the Le Sueur County Zoning Ordinance and may be amended at any time at the pleasure of the Le Sueur County Board of Commissioners through the proper public hearing process as provided for in the Le Sueur County Zoning Ordinance.

2. UNIMIN shall prepare an annual OTTAWA Mining Report for the herein-permitted area for review and approval by the Le Sueur County Board of Commissioners. See Appendix C for topics to be covered in the Annual Report.
3. Any modifications to monitoring plans required in this CUP shall be included in the annual report.

C. Ottawa Area Well and Mining Issues Committee:

UNIMIN shall participate as a member of the Ottawa Well and Mining Issues Committee, a county-appointed committee, to review issues and present recommendations to the Le Sueur County Board of Commissioners on issues that may arise as a result of silica sand mining in the Ottawa area. Appendix D lists the general make-up of the committee.

D. Combining of parcels:

UNIMIN shall work with the County Planning and Zoning Staff to combine where possible any parcels smaller than 40 acres with adjoining parcels once reclamation of those parcels has been completed.

E. Incorporation of Environmental Impact Statement:

The Final Environmental Impact Statement, (FEIS) adopted by the Le Sueur County Board on September 28, 2010 consisting of the DEIS, Volumes 1-3, dated October 2009 and the Response to Comments on the Draft Environmental Assessment Worksheet, dated June 2010 is hereby incorporated by reference to be used as a guidance document, including all mitigation measures identified therein.

II. MINE OPERATIONS

Mining operations shall be implemented in the general sequence as described in Section 3.1.2 Mining Plan pages 20-38 of Vol. 1 of the DEIS.

A. Setbacks:

1. Mining Setbacks: Mining activity, including removal of overburden, shall be setback a minimum distance as described below, except for where the adjoining property owner has agreed in writing to a lesser distance, or where UNIMIN is the adjoining property owner.
 - a. One hundred (100) feet to the boundary of any district where such mining operations are not permitted.
 - b. Two hundred (200) feet to the boundary of an adjoining property residentially zoned.

- c. Fifty (50) feet to the boundary of an adjoining property line, in a zoning district where mining is a permitted use.
- d. One hundred (100) feet from a public road right of way.
- e. One hundred (100) feet from the ordinary high water level of any public water, unless a lesser distance is approved by the MN DNR.
- f. Four hundred (400) feet from the boundary of the adjacent Tellijohn Landfill unless a lesser distance is approved by the MPCA.
- g. Two hundred (200) feet from the boundary of the Ottawa Cemetery
- h. Six hundred (600) feet from occupied-residential structures existing prior to the commencement of mining and processing operations without written consent of all owners of said structures.
- i. One hundred (100) feet from top of bluff.

2. Berming Setbacks:

Berms shall be setback a minimum of fifteen (15) feet from the side and rear property lines, or one hundred (100) feet from a public road right-of-way.

- a. Berms shall be setback a minimum of 100 feet from the boundary of the Ottawa Cemetery

B. Hours of Operation

1. The quarry may be operated 24 hours per day seven days per week, except for certain operations which are restricted in accordance with paragraphs II.B.2 –4 below.
2. All blasting shall be conducted between the hours of 10:00 A.M. and 6:00 P.M. Monday through Saturday. Unimin shall make every effort possible, to limit the blasts between the hours of 10:00 A.M. and 3:00 P.M. No blasting on Sundays or holidays, as designated in UNIMIN's Ottawa plant labor agreement, without special County Board approval.
3. All overburden removal shall be conducted between the hours of 6:30 A.M. and 7:00 P.M., except on Sundays and holidays, without special County Board approval.
4. Berm construction shall be confined to the hours of 7:00 A.M. to 7:00 P.M., except on Sundays and holidays, without special County Board approval.

III. SURFACE WATER QUALITY AND QUANTITY

A. Surface Water Quality:

1. UNIMIN shall comply with all provisions of any required National Pollutant Discharge Elimination System (NPDES) permit for the North Mine. A copy of both the Construction stormwater and industrial stormwater NPDES Permits shall be provided by UNIMIN to the Le Sueur County Planning and Zoning Department to be kept on file for review by County officials or the public.
2. Contaminant Management. UNIMIN shall review and reevaluate its Spill Prevention Control and Countermeasure plan annually.
3. Storm water runoff from the North Mine to surrounding properties shall not exceed predevelopment runoff rates based on 100 year storm events. All areas used to convey storm water runoff shall be covered by permanent, dense vegetative cover.
4. UNIMIN shall implement during all phases of mining, all applicable Best Storm Water Management Practices (BMPs) as may be necessary to protect surface water quality. These BMPs include but are not limited to:
 - a. All perimeter berms shall be seeded with native vegetation in a timely manner after completion of berm construction.
 - b. Reclamation shall proceed in a continuous manner.
 - c. Permanent and temporary stormwater ponds and infiltration areas shall be constructed within the mining area as identified in the FEIS and *North Mine Reclamation Plan* described in Paragraph X.A.1 below.

B. Public Waterway:

Relocation of the public waterway shall be coordinated between UNIMIN, the Minnesota Department of Natural Resources (MnDNR) and Le Sueur County and the relocated stream shall incorporate stormwater ponds and infiltration areas.

C. On-Site Wetlands:

1. UNIMIN shall secure all necessary approvals for wetland replacement prior to impacting wetland areas.
2. UNIMIN shall supply the MPCA with all available information as requested regarding the incidental wetlands described in the FEIS to determine if the MPCA considers these

jurisdictional wetlands. If the MPCA finds the incidental wetlands to be jurisdictional wetlands as opposed to sedimentation basins, UNIMIN will apply for all necessary permits for wetland replacement of these wetlands as well.

D. Off-Site Wetlands:

1. UNIMIN will submit an Off-site Seep/Wetland Monitoring Plan to the Minnesota Department of Natural Resources (MnDNR) for review and approval. Monitoring of the off-site wetlands must begin before dewatering within Phase 1 commences to establish baseline conditions. This plan will establish monitoring protocol for the off-site wetlands that may be temporarily impacted by groundwater dewatering activities. The plan will also establish appropriate mitigation measures should indirect impacts to these off-site wetlands occur as a result of dewatering activity associated with the mining operation. The approved plan must be submitted to the Le Sueur County Planning and Zoning Department to be kept on file for review by County officials or the public. Upon receipt, the approved Off-site Seep/Wetland Monitoring Plan will be attached to Appendix E of this permit.

IV. GROUNDWATER QUALITY AND QUANTITY

A. Ground Water:

UNIMIN shall secure a MnDNR water appropriations permit(s) for dewatering. UNIMIN shall be in compliance at all times with the conditions or rules of an Appropriation of Waters of the State permit.

1. Monitoring Wells:
 - a. UNIMIN shall submit a Groundwater Monitoring Plan for the North Mine to Le Sueur County for review and approval prior to commencing mining activities. Review will be performed by a third party consultant at the applicant's expense. This plan will identify the monitoring well network, a schedule for frequency of groundwater monitoring, a parameter list of constituents to be monitored, reporting limits, and a contingency plan in the event of a reporting limit exceedance. The plan will also identify any monitoring wells that will be abandoned as a result of the advancement of mining and identify the phase during which these wells will be abandoned. Upon approval, the Groundwater Monitoring Plan will be attached to Appendix F of this permit.
 - b. The Groundwater Monitoring Plan will also address potential water quality impacts of dewatering adjacent to the Tellijohn landfill. When the advancement of mining necessitates the removal of UNIMIN monitoring wells adjacent to the Tellijohn Landfill, monitoring of groundwater dewatering sumps adjacent to the landfill will be required. Upon final reclamation and establishment of a lake adjacent to the Tellijohn Landfill, monitoring of the lake will be required.

- c. Monitoring results shall be submitted annually and presented within the annual report, unless a reporting limit is exceeded. In the event that a reporting limit is exceeded, UNIMIN will notify Le Sueur County within 7 days of obtaining the analytical results.
 - d. All costs associated with the groundwater monitoring program are to be paid fully by UNIMIN.
 - e. UNIMIN shall be responsible for sealing all monitoring wells upon the completion of mining and reclamation activities in the area.
2. Mitigation of Adverse Effects on Water Wells in Dewatering Area..
- a. The installed and active monitoring wells within the identified groundwater dewatering impact area (See Appendix F) will be used to determine if mine dewatering is having a specific impact on static water levels in domestic drinking water wells. Locations of all monitoring wells shall be clearly marked on a map included in the Groundwater Monitoring Plan.
 - b. Should a domestic water or irrigation well within 2 ½ miles of the mine site or new wells drilled within the same area in Le Sueur County develop problems believed to be a result of UNIMIN's mining activities, the complainant shall submit details of the problem to UNIMIN. Within twelve (12) hours of receipt of the complaint, UNIMIN shall contact a well contractor who has sufficient credentials (familiar with local geology, familiar with local wells, well drilling and repair expertise, and located in the local proximity) and will advise of the complaint. The well contractor shall advise UNIMIN and the complainant of the timetable for the initial investigative visit. The initial investigative visit by the well contractor shall be paid for by UNIMIN. Should the initial investigative visit determine that UNIMIN's mining activities are the cause of the well problem, UNIMIN shall incur the expenses required to remedy the situation. Costs shall include, but not be limited to, the well investigation by consultants, well repairs, and well construction. UNIMIN shall provide a safe and adequate drinking water supply within 12 hours of notification and until the water supply has been reestablished to the homeowner. Within one week of receiving a well complaint, UNIMIN shall notify the County Planning and Zoning Department that a complaint was received.

Should the complainant desire to engage his/her own well contractor, the expense for that contractor shall be borne by the complainant if the well problem is found not to be resultant from UNIMIN's mining activities. Should the use of two well contractors result in differing opinions as to the cause of the well problem, the Ottawa Well and Mining Issues Committee Members shall by its thorough review of the well contractor information, an interview with the complainant, and an interview with UNIMIN determine if UNIMIN's mining activities caused the well problem. The determination of the Ottawa Well and Mining Issues Committee shall be rendered within thirty (30) days

of the original complaint. The decision of the Ottawa Well and Mining Issues Committee shall be binding on both parties.

3. Any wells on herein permitted area that are or become unused and/or unsealed shall either be put back into service or be sealed by a licensed well contractor, in accordance to Minnesota Rules, Chapter 4725.
4. Petroleum or chemical storage tanks.
 - a. No petroleum based or chemical products shall be stored in the quarry itself.
 - b. Fueling or vehicle maintenance stations shall be located on an impervious or paved surface.
 - c. Above ground petroleum tanks shall be equipped with secondary containment structures as approved by the Minnesota Pollution Control Agency (MPCA). An impervious surface shall be provided for parking of any mobile fuel or chemical tanks.
 - d. Below ground petroleum or chemical storage tanks shall be prohibited. Existing below ground storage tanks shall be brought up to current leak detection standards as prescribed by the MPCA.
5. All waste oil products shall be properly recycled.
6. All minimum setbacks as prescribed by the MPCA and MDH shall be observed between water wells and petroleum or chemical storage tanks or other potential contaminant sources.

V. OPERATIONAL NOISE

A. Noise

1. Day-time and night-time noise levels shall not exceed MPCA Noise Pollution Control Rules, Chapter 7010 for residential areas.
 - a. UNIMIN shall submit a Noise Monitoring Plan to Le Sueur County Planning and Zoning Department for review and approval prior to commencing mining activity. Review will be performed by a third party consultant at the applicant's expense. The plan must include spot check frequencies and spot check locations. Locations should change as mining progresses and include the Ottawa Cemetery during active mining near the cemetery. If findings of the spot checks indicate a violation, then corrective actions shall be taken. Results must be reported as L10 and L50 in order to compare with State Standards. Upon approval, the Noise Monitoring Plan will be attached to Appendix G of this permit.

- b. If the County receives a complaint regarding noise, the County may request that UNIMIN conduct additional noise monitoring at UNIMIN's expense.
2. All mobile production equipment shall meet State and Federal standards. Stationary equipment shall be designed or enclosed so as to meet the State and Federal standards. UNIMIN will exercise its best efforts to control noise to minimum practical levels. Backup horns, bells, strobe lights, and other warning devices shall be adjusted to the minimum level required by law.
3. Berm Construction.
 - a. UNIMIN shall submit a Mine Screening Plan to Le Sueur County Planning and Zoning Department for review and approval, prior to initial mining activity. This plan shall include berming and tree planting locations as well as a general sequence of implementation. Upon approval, the Mine Screening Plan will be attached to Appendix H of this permit.
 - b. UNIMIN shall construct a screening berm of not less than ten (10) feet in height along areas of the North mine where such a berm is necessary to screen the mining activities from public view. Construction of the berm shall precede overburden removal and sand mining activities so as to screen these activities from public view to the extent possible. The berm shall remain in place until mining ceases and final reclamation begins, at which time the berm shall be removed.
 - c. Berm shall be planted with vegetation and maintained to prevent erosion.

VI. BLASTING

A. Pre-blast Structural surveys

1. UNIMIN shall conduct pre-blast structural surveys of the approximately fifty residences located within one half mile of the North Mine identified on Figure 5.8.1 in Vol. 1 of the DEIS, for which approval is granted from the property owner, prior to commencing mining operations. Copies of the pre-blast surveys shall be submitted to the Le Sueur County Planning and Zoning Department.
2. UNIMIN shall conduct a pre-blast survey of the cemetery prior to commencing mining in Phase 1.
3. UNIMIN shall provide an updated pre-blast survey of structures located on the landfill property when blasting approaches within 1,500 feet of the Tellijohn Landfill.

B. Blasting Standards

1. No blast peak particle velocity (PPV) of ground motion shall exceed 0.50 inches per second at any existing occupied-residential structure, as measured at the monitoring sites as designated in the approved Blasting and Monitoring Plan (Paragraph VI.C.1.below) exclusive of those owned by UNIMIN or those where the owner has reached agreement with UNIMIN waiving the blasting limit.
2. No blast peak particle velocity (PPV) of ground motion shall exceed 1.00 inches per second at the TelliJohn Landfill or the Ottawa Cemetery.
3. Airblast shall be controlled by following all pertinent guidelines as specified in the U.S. Bureau of Mines 1980 investigation report, Structural Response and Damage Produced by Airblast From Surface Mining.
4. All blasts must be designed and conducted so as not to cause damage to private or public property. UNIMIN shall be responsible for damages to private or public property caused by blasting at the North Mine as agreed upon:
 - By the parties involved,
 - By arbitration or;
 - By a court of law.
5. Any future airblast studies that may be required by the county shall be conducted by an independent blasting consultant of the county's choice. All costs associated with such studies shall be paid by UNIMIN.
6. The Le Sueur County Board may change the calculated peak particle velocity requirements herein set forth at any time on giving notice of intent to do so and affording UNIMIN an opportunity to be heard.
7. The Le Sueur County Board may promulgate in the exercise of its discretion, reasonable airblast requirements on notice to UNIMIN with an opportunity to be heard.

C. Seismic Monitoring:

1. UNIMIN shall submit a Blasting and Monitoring Plan to Le Sueur County Planning and Zoning Department for review and approval, prior to the commencement of blasting. Review will be performed by a third party consultant at the applicant's expense. Upon approval, the Blasting and Monitoring Plan will be attached to Appendix I of this permit.
2. UNIMIN shall utilize a professional blasting consultant to develop the blasting and monitoring plan. This plan will incorporate state-of-the-art in computerized blasting

seismographs and software programs. The blasting plan shall provide all the necessary seismic data to assure compliance with applicable standards, while also providing usable seismic data to help predict future blast effects on all homes in the area. Data to be collected shall include, but not be limited to: waveform analysis, maximum peak particle velocities, maximum peak frequencies and developing frequency spectrums.

3. Seismic data gathered for each blasting event shall be witnessed, reviewed, analyzed for compliance parameters and signed by UNIMIN's licensed blaster. If upon such review, the data indicate a violation, then corrective actions shall be taken such as reducing blasting charge/delay or other measures as deemed necessary to assure vibration compliance at the prescribed boundaries.
4. A minimum of four seismographs are to be placed during each blasting event at monitoring locations identified in the blasting and monitoring plan. These locations will change with the progression of mining as identified in the blasting and monitoring plan.
5. At least 1 dedicated seismograph monitoring location shall be located adjacent to the Ottawa cemetery throughout Phase 1 mining and whenever blasting is located within 1,500 feet of the cemetery boundary.
6. At least one dedicated seismograph monitoring location shall be located adjacent to the Tellijohn Landfill throughout Phase 4 mining, and whenever blasting is located within 1,500 feet of the landfill boundary.
7. Additional sites as designated within the permitted area may be required by the county in response to public concerns.
8. Detailed blasting records shall be kept by UNIMIN. These records are to locate where each blast is taking place, delay pattern, and the identification, direction and distance to the closest non-UNIMIN owned or permitted structure. Topographic maps shall be used to locate blasts and structures. These blast records are to be made available to the Le Sueur County Planning and Zoning Department upon request.

D. Additional Blasting Compliance Measures:

1. No flyrock shall leave UNIMIN property.
2. If data indicates an exceedance of the limits set in Section VI.B at any of the monitoring locations included in the Blasting and monitoring plan, UNIMIN shall notify the Le Sueur County Planning and Zoning Department within one week of receiving the results and provide a summary of a review of their blast design procedures and a plan to eliminate future exceedances. Any vibration exceedance at a monitoring location shall also be noted in the annual report.

3. UNIMIN shall notify the county a minimum of 24 hours prior to any blasting event that requires a road closure.
4. UNIMIN shall make a reasonable effort to contact the Ottawa Township Clerk by telephone or leaving a message a minimum of 24 hours prior to any blasting event.

VII. ARCHEOLOGY

A. Potential Unmarked Historic Graves:

1. Prior to commencing mining within Phase 2, UNIMIN shall stake the general location of the three alleged historical graves. Prior to conducting stripping operations within this area. UNIMIN must notify the Office of the State Archeologist so that their staff may be present to monitor the initial soil removal. UNIMIN shall conduct excavation in accordance with Minnesota's Private Cemeteries Act Minn Statute §307.08.

VIII. PUBLIC INFRASTRUCTURE

A. Road Realignment;

1. All Township road realignments or reconfigurations shall be designed in conformance to then current MnDOT standards for the design of roadways, curve configuration, signage, safety and all other MnDOT design requirements. UNIMIN shall have a registered civil engineer review the plans for conformance to said current MnDOT design standards, certify to same, and submit certification letter to the County and the Township.
2. Within thirty (30) days of the opening of each road segment, UNIMIN shall have a registered civil engineer certify that the construction as completed meets the current MnDOT design standards discussed in Paragraph VIII.A.1. UNIMIN shall submit the signed certification to the County and the Township.
3. UNIMIN must meet the conditions of the Memorandum of Understanding related to County road relocations included as Appendix J.

IX. AIR QUALITY

A. Air Emissions Permit:

1. A Total Facility Operating Permit for operations located within the North Mine permit area shall be secured from the MPCA and all sources of air emissions identified in the permit shall be monitored to assure compliance to the conditions of the permit.

2. UNIMIN shall conduct semi-annual respirable dust monitoring at two or more locations along the northwestern boundaries of the active phase of mining within the North Mine Permit Area. Results of such monitoring shall be presented in the Annual Report.

B. Dust Control:

1. UNIMIN shall maintain any existing trees in the undeveloped buffer areas within the North Mine Permit Area.
2. UNIMIN shall plant additional vegetative cover within the buffer zones as may be required.
3. In any exposed areas outside of the quarry that have not been covered by permanent vegetation UNIMIN shall water these exposed areas within the permitted area during those periods when weather conditions are generating fugitive dust.
4. Haul roads within UNIMIN North Mine Permit Area boundaries shall be sprayed with water or other permitted dust suppressants as needed to control fugitive dust.
5. UNIMIN will provide dust control by application of magnesium chloride or other approved dust suppressant, as necessary for unpaved township roads if these roads are being used by truck traffic originating from and as a result of the mining operations within the project site.

X. RECLAMATION

A. Reclamation Plan:

1. UNIMIN shall submit a revised North Mine Reclamation Plan to Le Sueur County Planning and Zoning Department for review and approval within 3 months of receiving permit. Upon approval, the North Mine Reclamation Plan will be attached to Appendix K of this permit.
2. The North Mine Reclamation Plan shall be consistent with the Reclamation Plan submitted in the Response to Comments portion of the FEIS, and must be revised to include the following:
 - a. 300 foot easement over relocated stream.
 - b. Management Section for controlling noxious weeds and monitoring for the successful establishment of vegetation and replacement planting criteria.
3. As a component of the Reclamation Plan, UNIMIN shall prepare a water balance for the end use lake including overburden placement and submit to the MnDNR for review, prior to commencing mining in Phase 3.

4. UNIMIN shall provide a Pedestrian Trail and Park Plan to MNDNR for review and Le Sueur County Parks Department for review and approval prior to commencing mining activity in Phase 1.

B. Reclamation Standards:

1. Reclamation shall be conducted in the general sequence and manner as described in the North Mine FEIS, Section 3.0 volume 1, and the approved North Mine Reclamation Plan discussed in Paragraph X.A.1 above.
2. Reclamation shall be on-going with back filling of areas and establishment of vegetation proceeding as soon as practical after a mining area has been completed.
3. Reclamation shall utilize native vegetative species for the purposes of wildlife habitat.
4. Any revision in content of the above referenced reclamation plans will require UNIMIN to submit the proposed revisions to the plan to Le Sueur County Planning and Zoning and receive approval from the Le Sueur County Board prior to implementation of the revised plan.
5. UNIMIN shall report all herein permitted area reclamation activities in the Annual Report.

I. LIGHTING

Prior to installing any new or temporary outdoor lighting, other than emergency lighting, UNIMIN shall submit an outdoor lighting plan to the Le Sueur County Zoning office to assure compliance with Le Sueur County Zoning Ordinance Section 19.

XII. INSPECTIONS

The premises and operations shall be available for inspections by the authorized County inspectors, as specified by the County Board within normal company working hours. Inspectors shall obtain proper safety equipment from management upon arrival in compliance with the applicable State and Federal laws and regulations.

XIII. BONDING

With the Annual Report, Unimin shall present a proposed bond amount for reclamation of the site based on the prior year's activity to the County Board for review and approval. Within 2 months following Board approval, Unimin shall present to the County Auditor a

certificate evidencing the bond in the approved amount and the fact that the premium thereon has been paid.

APPENDIX A
LEGAL DESCRIPTION

APPENDIX B
PERMIT TABLE

APPENDIX C

PARAMETERS FOR ANNUAL REPORT FOR THE HEREIN PERMITTED AREA (NORTH MINE)

At a minimum, the following topics shall be addressed in an annual report to the county board. Additional topics may be addressed at the request of the county, or UNIMIN. The report shall include any maps or diagrams deemed necessary by the committee. The report shall be compiled in an orderly fashion with individual copies presented to the county board, and the planning and zoning administrator. UNIMIN may combine the annual report information for the Hayes Mine and the North Mine if final mining and reclamation activities in the Hayes Mine overlap with the onset of mining in the North Mine.

1. Conditional Use Permit Compliance

Summary and discussion of permit compliance in past year.

2. Water Related Issues

All monitoring well data gathered addressing quantity and quality of the ground water and surface water.

- Discussion of results on all water quantity and quality data gathered from monitoring wells. Data shall be plotted in such a manner to demonstrate monthly results on a yearly basis and from year to year to illustrate historical trends.
- Discussion of the NPDES permit allowing discharge to Minnesota River. Data shall be plotted on a yearly basis demonstrating all parameters allowed by permit.
- Discussion on other water quantity and quality issues that may have occurred in the past year. Discussion to include, but not restricted to: a.) summary of monitoring results including any detections above reportable limits. b.) any calls or letters to UNIMIN or the county from adjacent citizens regarding water quality or quantity, c.) any reports generated by UNIMIN or independent consultants addressing water related issues, d.) any complaints received by UNIMIN or the county, and e.) what remedial action taken (if needed) or recommendations to the county board.

3. Blasting Related Issues

All monitoring data collected addressing blasting activities.

- Tabulation of all seismograph monitoring from the past year.

- Interpretation and discussion of yearly seismic data. Discussion to include details of any anomalies in the blasting record, and how the current year of blasting data compares to the prior year.
- Location of receptor sites and type of equipment being used to monitor.
- Discussion of any dust survey conducted or dust related complaints received by UNIMIN or county.
- Discussion on other blasting issues that may have occurred in the past year. Discussion to include, but not restricted to: a.) any calls or letters to UNIMIN or the county, b.) any reports generated by UNIMIN or independent consultants addressing blasting related issues, c.) any complaints received by UNIMIN or the county, d.) summary and interpretation of assessment of structural condition of historic structures within Ottawa area, and e.) what remedial action taken (if needed) or recommendations to the county board.
- Structural surveys conducted in the Ottawa area by the independent consultant or other related activities authorized by the county.

4. Noise related Issues

- Summary of spot noise monitoring checks
- Results reported as L10 and L50 in a table with MPCA Noise standards

5. Reclamation

Due to the nature of mining contiguous parcels of land in the Ottawa area, discussion of reclamation should include activities taken by UNIMIN to reclaim all existing mined areas.

- Summary and discussion of restoration activities in North Mine area.
- Discussion of areas where contour restoration is complete.
- Discussion of areas where surface restoration is complete.
- Maps or graphic displays illustrating locations of past and current reclamation activities.

5. Expectations for the Upcoming Year

A projection of mining advancement and reclamation for the coming year.

- Areas to be stripped, mined and reclaimed.
- Maps or graphic displays illustrating locations of active or projected stripping, stockpiling, mining and reclamation activities.
- Changes in rail or truck transportation patterns.
- General comments on market conditions, summary of volume of product shipped.
- Employment status.

6. Complaints and Resolutions

Summary and discussion of all citizen complaints, including the subject of the complaint and action taken to address complaint. All complaints must be dated when received and date of actions taken. Discuss if complaint was resolved.

- Water
- Air quality
- Noise and Vibration
- Other

7. Modifications to monitoring plans

Any modifications to monitoring plans required as a condition of this CUP, shall be discussed in the annual report.

8. Bonding Requirements

Discussion of yearly bonding to cover complete restoration of UNIMIN mining activities at Ottawa.

9. Other Topics

Examples may include, but be limited to: other events that may affect mining operations or citizen relations, or other topics that may be deemed necessary by the Le Sueur County Board of Commissioners or Planning and Zoning Commission.

APPENDIX D

OTTAWA WELL AND MINING ISSUES COMMITTEE

Following is a list of people recommended to be included on the Proposed Ottawa Well and Mining Issues Committee:

- ❖ County Commissioner
- ❖ Ottawa Township Official
- ❖ Citizens of the Ottawa Area
- ❖ Le Sueur County Historical Society Member
- ❖ Le Sueur County Planning and Zoning Administrator
- ❖ Unimin Representative

Other: Experts or consultants on an as needed basis as determined by the committee.

APPENDIX E
OFF-SITE SEEP/WETLAND MONITORING PLAN

APPENDIX F:
GROUNDWATER MONITORING PLAN

APPENDIX G:
NOISE MONITORING PLAN

**APPENDIX H:
MINE SCREENING PLAN**

**APPENDIX I:
BLASTING & MONITORING PLAN**

APPENDIX J:

MOU

**APPENDIX K:
RECLAMATION PLAN**