

Red = statutory definition

Green = administrative rule definition

Blue = new silica sand definitions

Preliminary EQB EAW Thresholds:

- A. For development of a silica sand project for the extraction or mining of silica-rich sandstones that will result in 20 or more acres of mine area during the project's existence, **the local government unit is the RGU.**
- B. For development of a silica sand facility, under subitems (1) and (2), **the PCA is the RGU** for the following:
 - (1) a silica sand facility designed to produce an annual throughput of 200,000 tons or more of silica sand or designed to store 7,500 tons or more of silica sand; or
 - (2) the expansion of a silica sand facility designed to produce an annual throughput of 200,000 tons or more of silica sand by a 50 percent or more increase in annual throughput.
- C. For development of a silica sand project for the extraction or mining of silica-rich sandstones, that requires a DNR trout stream setback permit and will result in fifteen or more acres of mine area during the project's existence, **the DNR is the RGU.**
- D. For development of a silica sand project for the extraction or mining of silica-rich sandstone that will result in two or more acres of mine area in a forested or other naturally vegetated land in a sensitive shoreland area, or ten (10) or more acres of mine area, during its existence, in a forested or other naturally vegetated land in a non-sensitive shoreland area, **the local government unit is the RGU.**

Preliminary EQB EIS Thresholds:

- A. For development of a silica sand project for the extraction or mining of silica-rich sandstones that will result in 80 or more acres of mine area during the project's existence, **the local government unit is the RGU.**
- B. For development of an underground silica sand mine, **the local government unit is the RGU.**

Preliminary EQB Definitions:

Subp. 1b. Aggregate. "Aggregate" means sediment or crushed rock derived from bedrock that such as to dolostone, limestone, granite, basalt, and rhyolite. Aggregate does not include silica-rich sandstones.

Subp. 46a. Mine area. "Mine area" means the surface area of land from which material is removed in connection with the extraction or mining of silica sand. The lands, in combination with mining operations, from which: material is deposited; silica sand facilities are located; water reservoirs used in the mining process are located or; auxiliary lands that are used or intended to be used in a particular mining operation are

located. Mine area includes all contiguous or adjacent properties that are under control of the same person. Mine area does not include access roads.

Subp. 47b. Mining. "Mining" as used in parts 4410.4300, subpart 12a and 4410.4400, subpart 9a, has the meaning given in [Minnesota Statutes, section 116C.99, subdivision 1, paragraph \(b\)](#).

Subp. 54a. Open Storage Pile. "Open Storage Pile" means any unenclosed storage area that is used to store silica sand.

Subp. 82a. Silica-rich sandstones. "Silica-rich sandstones" means earthen material consisting of quartzose sedimentary rock of mostly sand-sized particles. Quartzose is a physical characteristic of a sedimentary rock formation where greater than 90 percent of the constituent rock particles consist of pure quartz. Examples of silica-rich sandstones include the formally recognized and described quartzose sandstones defined in RI-65 Paleozoic Stratigraphic Nomenclature for Minnesota, Minnesota Geologic Survey, Report of Investigations (2008). The report is incorporated by reference, is not subject to frequent change, and is available through the Minitex interlibrary loan system.

Subp. 82b. Silica sand. "Silica sand" has the meaning given in [Minnesota Statutes, section 116C.99, subdivision 1](#).

Subp. 82c. Silica sand facility. "Silica sand facility" means any facility that operates:

- (1) [Silica sand processing equipment](#), or
- (2) Equipment used for [transloading](#) silica sand, or
- (3) Establishes and maintains an [open storage pile](#), or
- (4) Establishes and maintains a [silica sand storage system](#).

Subp. 82d. Silica sand processing equipment. "Silica sand processing equipment" means machinery used to reduce the size of silica sand or to separate silica sand from [reclamation material](#), and the equipment used to convey silica sand to or remove silica sand and [reclamation material](#) from the machinery. Examples of silica sand processing equipment include: breakers, washers, filters, crushers, screens, and conveyors.

Subp. 82e. Silica sand project. "Silica sand project" has the meaning given in [Minnesota Statutes, section 116C.99, subdivision 1](#).

Subp. 82f. Silica sand reclamation materials. "Silica sand reclamation material" means earthen material, such as, soil, surface overburden or sediment, that remains after processing and is not part of the finished product.

Subp. 82g. Silica sand storage system. "Silica sand storage system" means any facility used to store silica sand except for [open storage piles](#).

Subp. 89b. Throughput. "Throughput" as used in part 4410.4300, subpart 12a, item B means the number of tons of silica sand received, plus the number of tons of silica sand shipped, divided by two, determined on the basis of an average year. An average year is determined by averaging the actual receipts and anticipated receipts and shipments.

Subp. 89c. Transloading. “Transloading” means the process of transferring silica sand from one vehicle to another vehicle.

Subp. 89d. Underground silica sand mine. “Underground silica sand mine” means below-surface mining for silica sand. Examples are excavation of adits, shafts, drifts, and stopes. Access is often via horizontal drifts or gradual declines into the earth to reach underground, in-place silica sand deposits. Mining is typically by room and pillar or open stope mining methods.

Subp. 89e. Vehicle. “Vehicle” as used subpart 89, means truck, trailer, railcar, or barge.

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