

Preliminary EQB Rule Language 12/3/2014

This document contains preliminary rule language related to silica sand environmental review rules. The purpose of this document is to generate discussion and feedback on the rule concepts at the Silica Sand Rulemaking Advisory Panel (SSRAP) meeting on December 4th, 2014.

EAW

4410.4300, Subp. 12a. Silica Sand Projects. Items A to D designate the RGU for the type of project listed.

- A. For development of a silica sand project for the extraction or mining of silica-rich sandstone which will result in the twenty (20) or more acres of mine area during its existence, the local government unit shall be the RGU.
- B. For development of a silica sand facility, the PCA shall be the RGU for the following:
 - (1) For a silica sand facility with an annual throughput of 200,000 tons or more of silica sand, or is designed to store 7,500 tons or more of silica sand or;
 - (2) For a silica sand facility with an annual throughput of 200,000 tons or more of silica sand, a 50% increase in annual throughput.
- C. For development of a silica sand project for the extraction or mining of silica-rich sandstone, that requires a DNR trout stream setback permit and results in **five (5)** or more acres of mine area, the DNR shall be the RGU.
- D. For development of a silica sand project for the extraction or mining of silica-rich sandstone which will result in two (2) or more acres of mine area in a forested or other naturally vegetated land in a sensitive shoreland area, the local government unit shall be the RGU.

EIS:

4410.4400, Subp. 9a. Silica Sand Projects. Items A to C designate the RGU for the type of project listed.

- A. For development of a silica sand project for the extraction or mining of silica-rich sandstone which will result in eighty (80) or more acres of mine area during its existence, the local government unit shall be the RGU.
- B. For development of an underground silica sand mine, the local government unit shall be the RGU.
- C. For development of a silica sand facility, the PCA shall be the RGU for the following:
 - 1. A silica sand facility designed to produce an annual throughput of _____ tons or more of silica sand or;
 - 2. For a silica sand facility designed to produce an annual throughput of _____ tons of more of silica sand, a 50% increase in annual throughput.

Comment [DE1]: Should there be an EIS category?

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