

SUBJECT: Inactive Status Approval Procedure

DATE: November 1, 2001 - Revised 09-01-06

Legal Authority: 22-4-19(b), 38-3-8.8

The request for Inactive Status must be submitted on a MR-14Q, “Application for Inactive Status of Quarry Permit” form and signed by a principal officer of the company and shall certify or address the following points:

- (1) that economically viable mineral reserves remain in the permitted area,
- (2) all disturbed areas are reclaimed or stabilized to prevent erosion and sedimentation,
- (3) all drainage and sediment control structures, such as culverts, ditches, sediment basins and traps, will be maintained throughout the Inactive Status,
- (4) all vegetation is maintained and reseeded as necessary,
- (5) the operator will notify the inspector prior to starting or reactivating the operations, and
- (6) NO mineral or overburden will be removed during the Inactive Status (except stockpiles).

Inspection and Enforcement section will track the receipt, progress, and disposition of the request in ERIS. Inactive status requests do not require advertisement. Permits on which quarrying operations have not started are not required to obtain inactive status.

The assigned Inspector shall complete the “Quarry Inactive Status Checklist” (MR-14QC). If all questions are answered “yes”, then the Inspector may recommend approval of the inactive status. If any question is answered “no”, then denial of inactive must be recommended by the inspector. The denial recommendation will be forwarded to the Inspection and Enforcement Supervisor for processing and distribution.

The Inspector will make his/her recommendation and comments on the checklist and forward to the I & E Supervisor.

The I & E Supervisor will finalize the checklist and take the appropriate action for approval or denial. The I & E Supervisor will complete and distribute either the “Approval for Inactive Status” letter or the “Denial for Inactive Status” letter as appropriate. Copies of the sample letters are attached.

Distribution:

Original Approval/Denial letter to Company

Copy of Approval/Denial letter and original request to HQ file

Copy of Approval/Denial letter and copy of request to Region File

Copy of Approval/Denial letter and copy of request to Inspector

Revised 06/11/01

INSERT DEP LETTERHEAD**Sample Letter
Approval for Inactive Status**Applicant
AddressRE: Request for Inactive Status
Permit #

Dear Applicant:

In accordance with Chapter 22-4-19(b) of the Quarry Reclamation Act, you are hereby notified that your Inactive Status has been APPROVED. This approval will expire on _____. If you desire to continue Inactive Status beyond the expiration date, you must reapply no later than thirty (30) days before expiration. If you fail to reapply and the site remains inactive beyond the expiration date, enforcement action will be initiated.

This approval is based upon the following conditions:

1. Economically viable mineral reserves remain in the permitted area.
2. All disturbed areas are reclaimed or stabilized to prevent erosion and/or sedimentation.
3. All drainage structures such as culverts, ditches, sediment basins, and traps are maintained; and
4. All vegetation is maintained or reseeded as necessary.
5. Appropriate insurance coverage for the site will be maintained. Blasting insurance will be valid before blasting activities may resume.
6. You must notify the appropriate inspector a minimum of five (5) days prior to reactivation of the permit.

If you have any questions regarding this approval, please contact me or your inspector at the above office number.

Sincerely,

Environmental Inspector Supervisor

INSERT DEP LETTERHEAD

**Sample Letter
Denial for Inactive Status**

Applicant
Address

RE: Request for Inactive Status
Permit #

Dear Applicant:

In accordance with Chapter 22-4-19(b) of the Quarry Reclamation Act, you are hereby notified that your Inactive Status has been DENIED at this time for the following reason(s).

(Choose appropriate reasons: 1. No economically viable mineral reserves remain in the permitted area; 2. All disturbed areas are not reclaimed or stabilized to prevent erosion and/or sedimentation; 3. All drainage structures such as culverts, ditches, sediment basins, and traps are not maintained; 4. All vegetation is not maintained or reseeded as necessary.)

If you have any questions regarding this denial, please contact me or your inspector at the above office number.

Sincerely,

Environmental Inspector Supervisor