



Wyoming Department of Environmental Quality  
Land Quality Division



**Limited Mining Operation**  
(also referred to as an ET or a Ten-Acre Exemption)

**Mining of Sand, Gravel, Scoria, Limestone, Dolomite, Shale, Ballast or Feldspar per the requirements of the Land Quality Division (LQD) of the Wyoming Department of Environmental Quality (WDEQ)**

Attached is a Form 10 which is the application form for a Limited Mining Operation (LMO)/ ET/Ten-Acre Exemption (hereafter referred to as a LMO) under Wyoming Statute (W.S.) §35-11-401(e)(vi) and Chapter 10 of the LQD Noncoal Rules. This form may also be found on the LQD web page at <http://deq.state.wy.us/lqd>. To apply for an LMO, please send the original and one copy of the completed Form 10, along with the appropriate reclamation bond materials per Item 3 of this memorandum, to the appropriate *LQD District*. A map of the districts is shown on Page 5 of this document and contact information for each district is listed below:

WDEQ/LQD DISTRICT I	WDEQ/LQD DISTRICT II	WDEQ/LQD DISTRICT III
3W Herschler Bldg., 122 W. 25 <sup>th</sup> St.	510 Meadowview Dr.	1866 South Sheridan Ave
Cheyenne, WY 82002	Lander, WY 82520	Sheridan, WY 82801

*Please note that, when applying for an LMO, the applicant must also obtain a WDEQ Air Quality Division (AQD) construction permit or a permit waiver before commencing any mining related disturbance or activity.* The AQD “Permit Application Form – Mining and Quarry Operations- Non Coal” is located on the AQD webpage at <http://deq.state.wy.us/aqd/construction.asp>. More information on the AQD requirements is located at the webpage noted above in the document entitled, “Air Quality Permitting of Mining and Quarry Operations – Non Coal”. Please contact Mr. Stewart Griner at (307) 777-7802 for further information regarding Air Quality permit or waiver process requirements.

WDEQ/AQD  
2E HERSCHLER BLDG.  
122 W. 25<sup>TH</sup> ST.  
CHEYENNE, WY 82002

The AQD requests that applications for construction permits or permit waivers be submitted as early as possible. In general, a permit waiver will take approximately 45 days to issue and a construction permit 120 days to issue from receipt of the application. A determination on whether a permit or waiver will be issued will be made once the application is received.

**LQD Form 10:** Please note the following information when completing this form:

- 1. The total amount of affected land allowed during the life of the “operation” may not exceed ten acres.** Please note the Form 10 requires information on the acreage covered by the pit, stockpiles, and related equipment areas (Item 1A on Form 10) and on the acreage covered by the access roads and haul roads (Item 1B on Form 10).

“Operation” and “Affected Land” are defined as follows:

“Operation” means all of the activities, equipment, premises, facilities, structures, roads, rights-of-way, waste and refuse areas, . . . storage and processing areas, and shipping areas used in the process of excavating or removing overburden and minerals from the affected land or for removing overburden for the purpose of determining the location, quality or quantity of a natural mineral deposit or for the reclamation of affected lands.” W.S. §35-11-103(e)(viii).

“Affected Land” means the area of land from which overburden is removed, or upon which overburden, development waste rock or refuse is deposited, or both, including access roads, haul roads, mineral stockpiles, mill tailings . . . , impoundment basins . . . , and all other land whose natural state has been or will be disturbed as a result of the operations.” W.S. §35-11-103(e)(xvi).

Per Chapter 10, Section 1(a)(vi)(B)(III) of the LQD NonCoal Rules and Regulations, the acreage of the access roads and haul roads between the mine site and the connecting road maintained by a governmental agency must be included as part of the operation. However, if the application also includes a written statement from the surface owner that the surface owner desires that any access roads or haul roads on private surface remain for private use after completion of the mining operation, the LQD will not require the access road or haul road to be reclaimed.

- 2.** An operator will not be allowed to conduct more than one LMO within any six-mile radius when the two operations are to mine the same mineral. Exceptions may be allowed under some circumstances upon approval of the Administrator.
- 3.** The mineral ownership of the affected land must be stated in Item 3A of Form 10. Please note that, if the surface or mineral ownership is federal, and a surety bond is used for the reclamation bond, the surety bond form (Form 20THSF1) is somewhat different than for a private surface and mineral form (Form 20TH1).

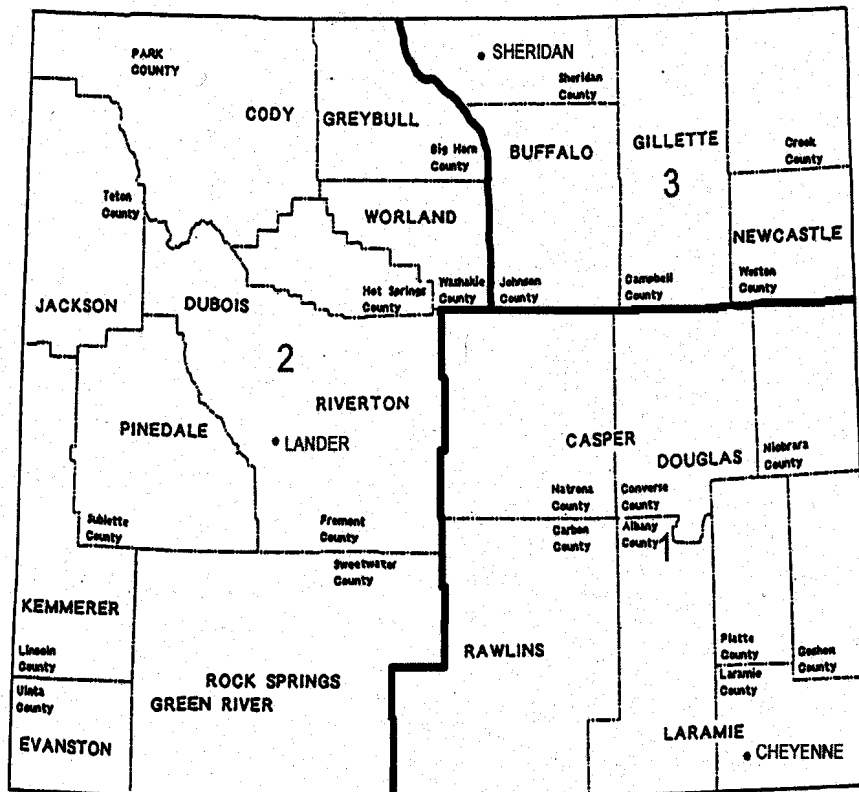
**4.** The following must accompany the completed Form 10:

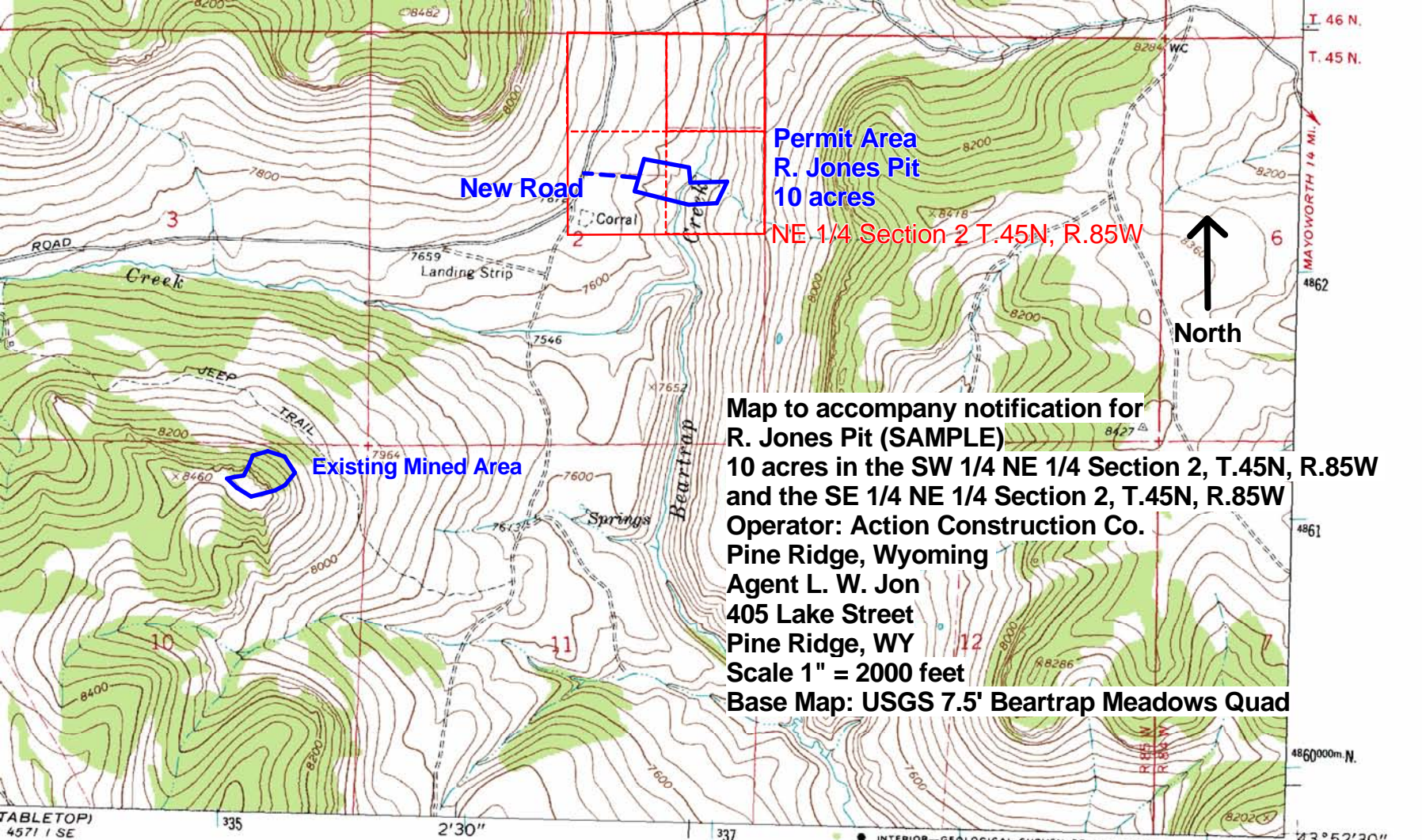
- a.** A reclamation bond in the amount of \$1,000.00 per acre of affected land (W.S. '35-11-401(e)(vii)). A memorandum including general information on reclamation bonds is attached (BDMEMO). The following are acceptable bonding instruments:
  - i.** Cash or Check - If a personal or company check is used, three weeks waiting time is required to assure that the check will be paid by your bank. The permit cannot be approved until the check has cleared the bank. To avoid any delay in approval, a certified or cashier's check should be used.
  - ii.** Certificates of Deposit - These must be made payable solely to the "Wyoming Department of Environmental Quality - Land Quality Division", be automatically renewable, and interest must be paid to the purchaser. Please contact the LQD Cheyenne Office for more detailed instructions.
  - iii.** Surety Bond – The bond forms may be found on the LQD web page at LQD web page at <http://deq.state.wy.us/lqd>. As noted in Item 3 above, the specific form depends on surface and mineral ownership.
  - iv.** Letters of Credit - Please contact the Cheyenne LQD Office for more information.
  - v.** Government Backed Securities (i.e.: T-bills) – Please contact the Cheyenne LQD Office for more information.
  - vi.** Self-Bond – Please contact the Cheyenne LQD Office for a copy of Chapter 6 of the LQD Noncoal Rules, which describes this option.
- b.** An original United States Geologic Survey (USGS) Quadrangle Map (photocopies and computer printouts are not acceptable unless prior approval is obtained from the LQD). The following information shall be shown on the map using waterproof ink, preferably black (see attached Map example).
  - i.** Outline the section or sections in which the mining operations will take place.
  - ii.** Subdivide the entire section, or sections, into 40-acre subdivisions and/or lots and tracts if they appear within the section.
  - iii.** Identify any lots or tracts referenced in the application.
  - iv.** Locate and identify the area of operation.
  - v.** Add a Title Block in the lower right-hand corner. The title on the map must conform with the name and address of the operator listed in Item 2 of the application.
  - vi.** If any previous mining has, or is, taking place within one mile of the proposed operation, locate and identify these operations.
  - vii.** Show any existing or proposed access roads or haul roads for the proposed mining operation. Any road to be constructed or upgraded by the operator shall be included as part of the allowed ten acres of "affected land" from the point it provides exclusive service.

5. After the mining operation has ceased or within thirty days after the abandonment of the mining operation, the operator shall notify the Administrator and commence reclamation and restoration. The operation will be considered to be abandoned if any of the following occur:
  - a. The individual, partnership, or corporation conducting the operation goes out of business;
  - b. No further mining or reclamation work has been done from one annual report to the next;
  - c. The mineral being mined has been exhausted; or
  - d. The period of time for which the surface owner (or lessee) gave permission to mine has expired and a written extension has not been obtained.
6. Reclamation shall be consistent with the proposed postmining land use and in accordance with the Environmental Quality Act (W.S. §35-11-101 *et seq.*) and associated rules.
7. The operator shall file an Annual Report on or within thirty days prior to the anniversary date of the permit being issued. The report shall be on a form supplied by LQD.

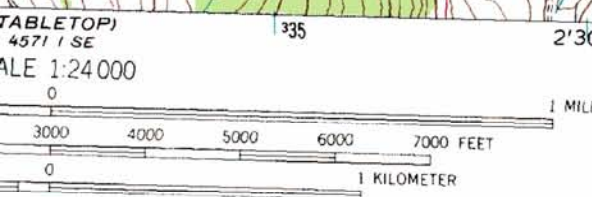
**State of Wyoming  
 Department of Environmental Quality  
 Land Quality Division Districts**

WDEQ/LQD DISTRICT I	WDEQ/LQD DISTRICT II	WDEQ/LQD DISTRICT III
3W Herschler Bldg., 122 W. 25 <sup>th</sup> St.	510 Meadowview Drive	1866 South Sheridan Ave
Cheyenne, WY 82002	Lander, WY 82520	Sheridan, WY 82801
(307) 777-7756	(307) 332-3047	(307) 673-9337

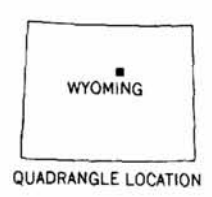




Map to accompany notification for  
 R. Jones Pit (SAMPLE)  
 10 acres in the SW 1/4 NE 1/4 Section 2, T.45N, R.85W  
 and the SE 1/4 NE 1/4 Section 2, T.45N, R.85W  
 Operator: Action Construction Co.  
 Pine Ridge, Wyoming  
 Agent L. W. Jon  
 405 Lake Street  
 Pine Ridge, WY  
 Scale 1" = 2000 feet  
 Base Map: USGS 7.5' Beartrap Meadows Quad



VERTICAL DATUM OF 1929



ROAD CLASSIFICATION  
 Light-duty ..... Unimproved dirt =====

NATIONAL MAP ACCURACY STANDARDS  
 DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092  
 MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

Map photoinspected 1976  
 No major culture or drainage changes observed

BEARTRAP MEADOWS, WYO.  
 43107-H1-TF-024

1967  
 PHOTOINSPECTED 1976  
 DMA 4571 I NE-SERIES V874

T. 46 N.  
 T. 45 N.  
 MAYNORTH 1/4 MI.  
 4862  
 4861  
 486000m N.  
 43°52'30"  
 107°00'  
 4571 I N  
 1:62,500  
 (MAYNORTH)