

Bluestone Mining Permits in Pennsylvania

How is Bluestone Mining Regulated in Pennsylvania?

Mining of Bluestone in Pennsylvania is regulated under the Noncoal Surface Mining Conservation and Reclamation Act and Chapter 77 of 25 PA Code.

In order to operate a mine in Pennsylvania, the act and regulations require a mine operator to possess a **Mining Permit** and a **Mining License** and to post a **Reclamation Bond**.

Mining Permits – There are three types of permits available for mining Bluestone. A **small noncoal permit** authorizes annual production of Bluestone up to either 2,000 tons or 10,000 tons (depending on the category of license). A **large noncoal permit** allows unlimited annual production. The General Permit for Bluestone (five acres or less) (GP-105) is also available. It allows for unlimited production but limits the size of the operation.

Mining Licenses – There are two categories of noncoal mining licenses. For a miner that provides proof of insurance coverage and pays a fee of \$500 for a new license or \$300 for a renewal, total production is not limited by the license. However, production would still be limited by a small noncoal permit. Licenses are renewed on an annual basis.

For licensees who do not provide proof of insurance, production is limited to a total of 2,000 tons per year. The fee for this category of license is \$50 for both a new license or an annual renewal.

In summary, there are four combinations of a permit and a license:

- Small License/Small Permit-Allowed to mine up to 2,000 tons per year combined total on all permits
- Large License/Small Permit-Allowed to mine up to 10,000 ton per year per permit
- Large License/Large Permit-No limit on production
- GP-105 requires a Large License

Reclamation Bonds – A reclamation bond is required in order to receive a permit. The amount of bond needed for a permit is determined by the potential cost to the Commonwealth of Pennsylvania to complete reclamation of the site, and mitigation of environmental damage if the operator abandons the mine prior to completing reclamation.

The *minimum* reclamation bond is \$1,000 for a small noncoal permit and \$5,000 for a large noncoal permit.

What do I have to do to get a permit?

You should contact the DEP District Mining Office responsible for Bluestone Mining in your county.

- **Pottsville District Mining Office**
(570-621-3118)
Susquehanna, Pike, Wyoming, Lackawanna, and Wayne Counties

- **Moshannon District Mining Office**
(814-342-8200)
Bradford, Cameron, Centre, Potter, Sullivan, Tioga, and Lycoming Counties
- **Knox District Mining Office**
(814-797-1191)
McKean County

Permit application forms are available online at DEP's Web site: www.depweb.state.pa.us,
Keyword: "Mining Forms."

What do I have to do to get a license?

Mining License Applications are processed by DEP's Bureau of Mining and Reclamation, Compliance Section in Harrisburg at 717-787-5103.

How often does DEP conduct inspections of Bluestone Mines?

DEP expects to inspect bluestone mine sites at least once per year and large Bluestone sites at least 2 times per year. Many inspections are in response to complaints. Inspections focus on compliance with conditions of the mining permit and safety.

What happens if I mine without a permit?

Under Pennsylvania law, DEP can issue orders and assess fines up to \$5,000 per day, and pursue criminal proceedings against individuals who mine without a permit.

However, DEP in cooperation with the Pennsylvania Bluestone Association, is encouraging Bluestone mine operators without permits and licenses to take advantage of the opportunity to avoid fines and orders.

Operators who voluntarily comply with requirements of the Noncoal Act and obtain the required permits and licenses will avoid the risk of legal action.

Mine operators who continue to mine illegally will be prosecuted and face civil and criminal penalties.

Who can I contact for help?

The DEP District Mining Office for your county is willing to help you understand and complete the licensing and permitting process.

Contact the DEP District Mining Office listed above.

For more information, visit www.depweb.state.pa.us, keyword: Mining.