

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.

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

Three types of permits are 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. A General Permit for Bluestone (GP-105) is also available. The GP-105 allows for unlimited production but limits the size of the operation to five acres of mining and five acres of support area. Permits are subject to an application fee and an annual administrative fee.

Application fees are as follows:

- Small noncoal: \$525
- GP-105: \$550
- Large noncoal no groundwater pumping: \$13,500
- Large noncoal groundwater pumping: \$20,225

Blast plans require additional authorizations which are \$475 for review.

An administrative fee is charged for each permit, which ranges from \$100 to \$1,850 per year depending on the current state of activity.

The following forms are used for each specific activity:

- General Permit for Bluestone (GP-105) – [5600-PM-BMP0027](#)
- Small Noncoal (Ind Min) Surface Mine Permit Application – [5600-PM-BMP0316](#)
- Large Noncoal Industrial Minerals Mine Permit Application – [5600-PM-BMP0315](#)

In addition to the mining permit, a National Pollutant Discharge Elimination System (NPDES) permit is also required. The General Permit, NPDES for Stormwater Associated with Mining Activities, is typically acceptable unless the permit area is in a high-quality watershed or other situation where an individual NPDES permit is necessary. To apply under the General Permit the applicant completes a Notice of Intent (NOI) for Coverage Under the General Permit (BMR GP-104) NPDES for Stormwater Associated with Mining Activities – 5600-PM-BMP0008. The review fee for this is \$250. An individual NPDES permit is form 5600-PM-BMP0032 and has a \$1,000 review fee and five-year renewal fee of \$500.

Mining Licenses

There are two categories of noncoal mining licenses: small and large. A large license has no limit on total production. It requires proof of insurance coverage and a fee of \$500 for a new license or \$300 for a yearly renewal. However, production would still be limited if the operator holds a small noncoal permit.

A small license is available to those operators whose production is limited to a total of 2,000 tons per year. Proof of insurance is not required. The fee for this category of license is \$50 for both a new license or an annual renewal.

The application form to complete for a mining license is [5600-PM-BMP0025](#).

There are three possible combinations of permit and license for noncoal operations:

- 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 to be posted prior to receiving a permit. The amount of bond needed for a permit is determined by the potential cost to the commonwealth 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 license?

Mining License Applications are processed by the Department of Environmental Protection's (DEP) Bureau of Mining Programs, Licensing Section in Harrisburg at 717-787-5103, or RA-minelicense@pa.gov.

How often does DEP conduct inspections of Bluestone Mines?

DEP inspectors visit small mine sites at least once per year and large sites at least two times per year. Many inspections are in response to complaints.

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.

DEP, in cooperation with the Pennsylvania Bluestone Association, encourages Bluestone mine operators without permits and licenses to avoid fines and orders by obtaining the required authorizations voluntarily.

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.

What do I have to do to get a permit?

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 website:

www.depgreenport.state.pa.us/elibrary/GetFolder?FolderID=3706

Who can I contact for help?

The DEP District Mining Office for your county will help you understand and complete the licensing and permitting process. Contact the appropriate DEP District Mining Office listed above.

For more information, visit www.dep.pa.gov/Business/Land/Mining/Pages/default.aspx.