

**Town of Pepin
Pepin County, Wisconsin**

Application for a Nonmetallic Mine Operator's License

Operator Information:

Operator Business Name: _____

Operator Headquarters Address:

Street 1: _____

Street 2: _____

City: _____ **State:** ____ **Postal Code:** _____

Office Phone: _____ **Fax:** _____

Local Office Address:

Street 1: _____

Street 2: _____

City: _____ **State:** ____ **Postal Code:** _____

Operator/Applicant Contact Information:

Primary Contact Name: _____

Office Phone: _____ **Mobile Phone:** _____

Email Address: _____

Alternate Contact Name: _____

Office Phone: _____ **Mobile Phone:** _____

Email Address: _____

Ownership/Stakeholder Information:

Principal Operator: _____ **Type:** _____

(If not an individual—e.g. LLC, Corporation – list all officers of legal entity)

Name: _____ Title: _____

Address: _____

Phone: _____ Email: _____

Name: _____ Title: _____

Address: _____

Phone: _____ Email: _____

Name: _____ Title: _____

Address: _____

Phone: _____ Email: _____

Name: _____ Title: _____

Address: _____

Phone: _____ Email: _____

Ownership: (if different) _____ **Type:** _____

(If not an individual—e.g. LLC, Corporation – list all officers of legal entity)

Name: _____ Title: _____

Address: _____

Phone: _____ Email: _____

Name: _____ Title: _____

Address: _____

Phone: _____ Email: _____

Name: _____ Title: _____

Address: _____

Phone: _____ Email: _____

Other Interests:

(Identify all lessors, lessees, mortgagees, mineral rights owners, and other interests, including ownership and operators of any processing facility or transportation depot to which the nonmetallic minerals will be sent.)

Name: _____ Type: _____

Address: _____

Phone: _____ Email: _____

Name: _____ Type: _____

Address: _____

Phone: _____ Email: _____

Name: _____ Type: _____

Address: _____

Phone: _____ Email: _____

Name: _____ Type: _____

Address: _____

Phone: _____ Email: _____

Name: _____ Type: _____

Address: _____

Phone: _____ Email: _____

Name: _____ Type: _____

Address: _____

Phone: _____ Email: _____

Name: _____ Type: _____

Address: _____

Phone: _____ Email: _____

Name: _____ Type: _____

Address: _____

Phone: _____ Email: _____

Site Information:

Property Address: _____

Property Legal Description:

Property Tax ID Number(s): _____

Attachments: Attach documents as required by Town of Pepin Licensing Ordinance

Received	ID #	Requirement
		Fully executed copies of any lease agreement, easement or other agreements affecting the proposed nonmetallic mining site.
		An ATLA land survey or certified survey map(s) with property boundaries showing the tax parcel identification number(s) of all parcels included in the proposed nonmetallic mining site and of all parcels adjoining it, signed by a registered land surveyor or professional engineer.
		An aerial photo of the proposed nonmetallic mining site at a scale of one inch equals two hundred feet showing the location of all existing and proposed interior roads, buildings, structures (including earthen structures), equipment, stockpile, storage and parking areas.
		A topographic map of the proposed nonmetallic mining site extending a minimum of one mile beyond the site's boundaries with contour intervals no greater than two feet and showing the boundaries of the site, the location and full acreage of the site, the name of all roads within one mile of the site, the names and addresses of all adjoining landowners and the location of all residences in the full map area.
		A map on which the location of all private residential, agricultural and municipal wells within a minimum of one mile of the site perimeter is marked, labeled as regular or high capacity and with each location given a numeric identifier.

		A document identifying the location and names of all surface waters including lakes, private or public ponds and streams (including intermittent streams or headwaters), drainage ditches, wetlands, drainage patterns and other water features on the site and in the areas within a minimum of one mile beyond the site perimeter.
		A document describing the distribution, depth and type of topsoil on the proposed nonmetallic mining site and the location, geological composition and depth of nonmetallic mineral deposits to be removed over the planned life of the mine.
		A map of the location of all non-contiguous nonmetallic mining sites in the Town and in any adjacent Town that will contribute to the same manufacturing, processing or transport facility as the nonmetallic mining site for which the Operator's license application is being made. This requirement will apply only if an exception to the Town of Pepin's standards prohibiting mineral processing within the Town's boundaries is granted by the Town Board under a Developer's Agreement.
		Certification that no boundary discrepancies or disputes exist, or disclosing the nature of all such discrepancies or disputes, the landowners involved and certification that all such discrepancies or disputes will be resolved at the applicant's expense prior to the issuance of the license for which the application is being made.
		A copy of any Notice of Intent/Information Summary for Nonmetallic Mining Operations concerning any area of the nonmetallic mining site for which Operators License is being made that has been or will be submitted to the Wisconsin Department of Natural Resources for any permits over which it has jurisdiction, the Wisconsin Department of Natural Resources response, and any permits issued.
		Baseline information from an accredited lab or testing agency approved by the Town Board concerning surface water baseflow, well depth and casing conditions, and concerning turbidity, total suspended solids, coliform bacteria levels, lead, arsenic, chlorides, nitrates, radon, acrylamides and any other hazardous chemicals in private wells belonging to all property owners who consent and are located within a minimum of one mile of the perimeter of the site with documentation concerning the manner and identify of all landowners who refuse consent.
		Baseline information from an accredited lab or testing agency approved by the Town Board concerning ambient air quality and suspended particulates within 100 yards of the proposed site perimeter.

		<p>A site specific Storm Water Pollution Prevention Plan (SWPPP) modeled on DNR model SWPPP-NMM version 4 or such more recent version as in use by Wisconsin Department of Natural Resources at the time application is made and that will be implemented for the site, specifically including preparation of a site drainage map, identification of potential pollutant sources, implementation of a pollutant prevention, pollutant treatment as needed, employing and using best management practices and providing for regular and periodic visual inspections by the Town or its retained experts at intervals set by the Town.</p>
		<p>A complete report of soil borings, showing at a minimum the soil types found, depth and duration, to a depth of twenty feet below the lowest depth for which excavation is proposed in the license application or as noted in the County reclamation permit or permit application materials. At least one soil boring shall be provided from each twenty acre portion of the property in the nonmetallic mining site described in the license application.</p>

Operations Plan:

Proposed Operations Commencement Date: _____

Proposed Operations Cessation Date: _____

How will cessation of operations be determined?

Describe in detail mining methods, machinery and equipment used for extraction and onsite processing:

Describe the sequence and scope of the planned operation during the full anticipated life of the mining operation.

Phasing Plan

Received	ID #	
		Attach a phasing plan document, consistent with the applicant's County Reclamation Permit or permit application materials, showing for each calendar year of operation which areas of the site will be used for mining operations and which areas will be used for excavation, stock piling or processing, haul roads. Show area specific Storm Water Prevention Plan considerations for each year at issue.

Proposed Volume of Nonmetallic minerals to be extracted from site:	
Calendar Year	Tons

Water Usage:		
Received	ID #	Attach a Water Budget document that describes all ways that water will be used in the nonmetallic mining operation, including, but not limited to, sources of water and all processes in which the water will be used, projected volume of daily water use, both median daily amounts and maximum daily amounts, during the proposed licensing period and the anticipated life of the nonmetallic mining operations. Describe methods for treating, handling and disposing of water, including but not limited to methods and plans for infiltration and control of run-off and erosion from water used on site, from storm water and dewatering.
Hazardous Materials and Other Industrial Chemicals:		
Received	ID #	Attach a description of all hazardous materials that will be stored or used on-site and projected quantities, including fuel, and a description of measures that will be used to secure, store and neutralize these materials in the event of spill or accidental discharge.
		Attach a description of all chemicals that will be stored or used in nonmetallic mining on-site to control or suppress dust, and a description of measures that will be used to secure, store and neutralize these materials in the event of spill or accidental discharge.

Proposed Transportation Plans:			
For each calendar year of proposed operations identify the number of trucks, type of truck by gross weight, and the number of daily truck trips expected to move nonmetallic minerals from or to the mine site including empty trips to the mine site.			
Calendar Year	Number of Trucks	Truck Type (Gross Weight rating)	Maximum Daily Trips
Public Road Access Points to Site:			
Describe Preferred Transportation Route between Site and Destination			
Origin	Road	Jurisdiction (e.g. Town, County, State, Federal roadway)	Mileage
•			
•			
•			
•			
Destination			
Describe Alternate Transportation Route between Site and Destination			
Origin	Road	Jurisdiction (e.g. Town, County, State, Federal roadway)	Mileage
•			
•			
•			
•			
Destination			

Road Use Agreements		
Received	ID #	Attach submitted or approved road use agreements with Town(s), County or State for each proposed route and a traffic impact analysis for each route pursuant to Wisconsin Statutes 349.16.

Compliance		
<p>License applicants are responsible for providing all information necessary to demonstrate to the satisfaction of the Town Board that the nonmetallic mining operation for which application is being made will continuously meet or exceed all minimum operation standards described in the Town's Licensing Ordinance or as required for a registration license under Section 7 of that Ordinance.</p>		
Requirements		<p>Attach copies of all other required Federal, State, County or local licenses, agreements and approvals or pending application materials for such licenses, agreements and approvals. All such permissions must be obtained before commencement of operations.</p>
Received	ID #	Description
		Proof of Applicable NR 135 Nonmetallic Mining Reclamation Permit and any financial assurance required in relationship thereto.
		Proof of current Air Pollution Permit issued to the applicant under Wisconsin Administrative code NR 415 or other state required permits as may be necessary for the proposed nonmetallic mining operation.

If the applicant operates or has a financial interest in any other nonmetallic mine sites apart from the site specified in this application, identify those sites and any complaints or citations received from any Federal, State, County or other regulatory authorities during the course of operations of that site and the disposition or resolution of the issue identified.

Site	Date	Authority	Description	Disposition

Notice to Applicant

Application Submission: Applications for nonmetallic mining Operator's and registration licenses shall be filed in the office of the Town Clerk. Applications shall provide all information and materials required by this Ordinance. Applicants shall provide the Town Clerk with the original plus ten (10) copies of the application and all required supplemental documentation, an electronic/digital set of all application materials, the application fee and the initial administrative fee deposit in the amounts established by the Town Board. Applications shall be signed by all persons or entities seeking licensure as Operator, by all owners of the location on which nonmetallic mining is proposed to take place, and certified as true and correct by the applicant

Administrative Fee Deposit: Maintaining an adequate administrative fee deposit at all times is a condition of maintaining an application and a license. Amounts so deposited shall be held by the Town and used to pay for its application review, for oversight and monitoring by state agencies as requested by the Town when municipal payment is expected or required for state agency assistance, for ongoing Town administration and enforcement, retained experts and legal fees associated with the evaluation of the application at issue and the administration, enforcement, renewal or revocation of any license issued by the Town. Applicants and license holders shall replace depleted administrative fee deposits within fourteen (14) days of being notified to do so by the Town. The Town shall provide an applicant or license holder with an annual accounting for Town use of administrative fee deposits related to its application or license.

The Town may periodically review and revise the amounts required for the application fee and initial administrative fee deposit. The Town's objective is that application review and license administration shall be fully funded by license applicants and Operators.

Additional Information. At any time during the application process that the Town determines that an application is incomplete or that additional information will be of assistance the applicant shall submit the requested additional information before further proceedings take place. The Town shall retain qualified person(s) with appropriate expertise ("retained experts") as the Town deems prudent to review the application, to determine whether additional information is necessary or will be of assistance, to assist the Town in deciding whether the nonmetallic mining operation for which application is being made will meet the standards of this Ordinance, to assist the Town in evaluating any special exception requests, and to assist the Town in administering and enforcing the Ordinance. All expenses and fees required for application review by the Town or its retained experts shall be paid from the administrative fees provided by the applicant.

Special Exception. A license applicant can request a special exception from any application requirement of this Ordinance when it can demonstrate to the satisfaction of the Town Board that the information being required can be provided by alternate means or is not necessary for deciding on its license application for a particular nonmetallic mining operation, and that the public health, safety and welfare will not be adversely affected thereby. The Town Board shall consider information and conclusions provided by the public, the applicant, the Town Planning Commission and the Town's retained experts in making this determination

Certification:

I (WE) CERTIFY THAT ALL INFORMATION ON THIS APPLICATION IS TRUE AND CORRECT AND THAT ALL ATTACHMENTS AND EXHIBITS ARE COMPLETE, TRUE AND CORRECT. I (WE) FURTHER AGREE TO SUBMIT ADDITIONAL INFORMATION AS MAY BE REQUESTED BY THE TOWN AND PAY ADDITIONAL FEES REQUIRED BY THE TOWN, ALL AS ENUMERATED IN THE TOWN OF PEPIN ORDINANCE REGARDING OPERATION OF NONMETALLIC MINES. I (WE) UNDERSTAND THAT PUBLIC HEARINGS OR MEETINGS WILL BE REQUIRED.

OPERATOR SIGNATURE:

PRINT NAME AND TITLE:

DATE SIGNED:

Administrative Use Only		
	Date	Initialed
Application Received by Town Clerk		
Application Received by Plan Commission		
Plan Commission Initial Review		
Initial Administrative Fee Received		
Plan Commission Initial Recommendation <input type="checkbox"/> Approve <input type="checkbox"/> Conditionally Approve <input type="checkbox"/> Deny <input type="checkbox"/> Request Additional Information <input type="checkbox"/> Retain Experts For Analysis		
Notice to Applicant of Additional Information Requirements		
Town Board Approval of Retained Experts		
Additional Applicant Information Received		
Retained Expert Reports Received		
Plan Commission Recommendation <input type="checkbox"/> Approve <input type="checkbox"/> Conditionally Approve <input type="checkbox"/> Deny		
Town Board Set Date for Public Hearing		
Public Hearing Held		
Town Board Decision <input type="checkbox"/> Approve <input type="checkbox"/> Conditionally Approve <input type="checkbox"/> Deny		

Administrative Fee Deposit Received		
Conditional Approval Item(s) Completed		
License Granted		
Developer's Agreement Negotiated		
Developer's Agreement Public Hearing Set		
Developer's Agreement Public Hearing		
Town Board Decision on Developer's Agreement <input type="checkbox"/> Approve <input type="checkbox"/> Conditionally Approve <input type="checkbox"/> Deny		