

Minnesota Department of Natural Resources

Division of Lands and Minerals

REQUEST FOR COMMENTS

Possible Rules Governing Reclamation of Silica Sand Mines, Revisor's ID Number R-04198

Subject of Rules. The Minnesota Department of Natural Resources requests comments on its possible rules governing reclamation of silica sand mines. The Department is considering rules that would control possible adverse environmental effects of silica sand mining, preserve natural resources, and encourage planning of future land utilization. The rules may address other reclamation issues that come up during the rulemaking process.

Persons Affected. The rules would likely affect entities that are proposing to mine or are mining silica sand, local units of government that regulate silica sand mining, and citizens and companies located in the proximity of proposed or existing silica sand mining operations.

Statutory Authority. *Laws of Minnesota 2013, Chapter 114, Article 4, Section 105 (b)* requires the Department to adopt rules for reclamation of silica sand mines.

Public Comment. Interested persons or groups may submit comments or information on these possible rules in writing until further notice is published in the *State Register* that the Department intends to adopt or to withdraw the rules. The Department will not publish a notice of intent to adopt the rules until more than 60 days have elapsed from the date of this request for comments. The Department does not plan to appoint an advisory committee to comment on the possible rules. However, the Department may consult with the silica sand technical assistance team assembled by the Environmental Quality Board pursuant to *Laws of Minnesota 2013, Chapter 114, Article 4, Section 91*.

Rules Drafts. The Department has not yet drafted the possible rules.

Agency Contact Person. Written comments, questions, requests to receive a draft of the rules when it has been prepared, and requests for more information on these possible rules should be directed to: Heather Arends, Department of Natural Resources, 500 Lafayette Road, St. Paul, MN 55155-4045, phone number 651-259-5376, and e-mail heather.arends@state.mn.us.

Alternative Format. Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request, please contact the agency contact person at the address or telephone number listed above.

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge if and when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed. If you submitted comments during the development of the rules and you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

Dated: July 13, 2013

/s/ Tom Landwehr, Commissioner
Department of Natural Resources