

NONMETALLIC MINING RECLAMATION PERMIT

Permit is issued under the Chippewa County Nonmetallic Mining Reclamation Ordinance and Wisconsin Administrative Code NR135.

Applicant: John S. Olynick, Inc.
Owner: Peter Lemay; John S. Olynick, Inc.
Permit Number: 2001-08
Date: April 7, 2016

Permit Conditions

1. Standards & Implementation
 - a. All mining and reclamation shall be conducted in compliance with the reclamation plan that is comprised of the following documents:
 - i. A packet entitled “Blanchard South Site for John S. Olynick, Inc. Chippewa County, WI”, received June 30, 2015. The packet included four 11” x 17” maps titled “Existing Conditions”, “Operations Plan”, “Reclamation Plan,” and “Cross Sections”.
 - b. All mining and reclamation shall be conducted in compliance with all provisions and standards of the Chippewa County Nonmetallic Mining Reclamation Ordinance and Wisconsin Administrative Code NR135.
 - c. All mining and reclamation shall be conducted so that they meet or exceed provisions of Reclamation Standards for Non-Metallic Mines in Chippewa County (July 2007).
 - d. Prior to commencing any mining activity, the operator shall obtain all required permits and legal authorizations including, but not limited to, those required to protect public health and safety under all applicable federal, state, or municipal jurisdictions.
2. Financial Assurance
 - a. The operator shall provide adequate Financial Assurance in the form of Surety Bond or Irrevocable Letter of Credit meeting the requirements of the Chippewa County Nonmetallic Mining Reclamation Ordinance and NR135.40 to the Chippewa County Department of Land Conservation & Forest Management (hereinafter the “Department”) prior to beginning any site excavation activities.
 - b. The amount of financial assurance shall equal as closely as possible the cost to the Department of hiring a contractor to complete reclamation according to the approved reclamation plan. The amount of financial assurance shall be initially approved and periodically reviewed by the Department to assure it equals the current estimated reclamation costs.
3. Size & Scope
 - a. The total permitted mine site is 12 acres as depicted in the “Operations Plan” map. The mine site

includes all areas of nonmetallic mineral extraction, haul roads, stormwater ponds, soil berms, and other areas meeting the definition of “nonmetallic mining site” or “site” in the Chippewa County Nonmetallic Mining Reclamation Ordinance.

- b. The excavated floor elevation of the mine shall be no lower than the elevations shown in the reclamation plan on the “Cross Sections” drawing (elevation 955 MSL).
- c. Changes to the areal extent or depth of the mine as documented in the Reclamation Plan, or any changes to the operation that may affect the capacity to meet reclamation standards of NR 135 and the Chippewa County Nonmetallic Mining Reclamation Ordinance, shall require a revised Reclamation Plan and permit modification under NR 135.24.

4. Stream & Wetland Protection

- a. A 100 foot buffer shall be established around each mapped wetland. No mining or mining related activities shall be permitted within this buffer. This buffer shall be monumented with permanent markers (such as fence posts) for the life of the mine.

5. Stormwater Management

- a. The operator shall obtain a Wisconsin Department of Natural Resources WPDES Runoff Discharge permit for mining operations. The operator shall provide the Department of Land Conservation & Forest Management with a copy of this permit prior to beginning any site excavation activities.
- b. The operator shall fully comply with the terms of the Wisconsin Department of Natural Resources (DNR) WPDES Runoff Discharge Permit WI-0046515-05 (general permit of nonmetallic mining operations) and any subsequent permit revisions.
- c. A stormwater management system shall be designed, installed and maintained to meet the nonmetallic mine standards established for surface water and groundwater protection in NR135.07 & 135.08. The system shall provide sufficient capacity to store and infiltrate runoff for all rainfall events smaller than the 10 year, 24 hour event (4.1 inches).
- d. All storm water facilities shall be designed and constructed with a stable outlet to accommodate runoff events up to the 100 year, 24 hour rainfall event (5.8 inches).
- e. In the event that stormwater runoff exceeds the capacity of the stormwater management system and stormwater runoff leaves the mine site, the operator shall immediately contact the Department.
- f. All storm water facilities shall be routinely maintained to assure the facilities continue to function as designed.
- g. Sediment shall be removed from the bottom of storm water ponds on an annual basis and as needed after major accumulation events to restore the storage capacity and the function of the facility as designed. Sediment removed from stormwater ponds shall be stockpiled, seeded, stabilized, and used in mine site reclamation.

- h. Whenever changes to the stormwater management system are proposed, or required the operator shall provide documentation including computations to show that the changes to the stormwater management system will meet the design requirements. This information shall be submitted to the Department for review and approval prior to construction of the changes.

6. Site Clearing

- a. All topsoil and subsoil in disturbed areas shall be systematically and individually stripped and stockpiled for future use in reclamation. The location of these stockpiles shall be identified with permanent signage and shall be identified on a map that shows the location of all topsoil and subsoil stockpiles. This map shall be submitted to the Department upon request.
- b. No topsoil, subsoil, or overburden material shall leave the site during the entirety of the site operations.
- c. The burning of stumps, or any other material at the mine site, is prohibited. All residual woody biomass that is the byproduct of timber harvesting, excluding stumps, shall be retained, chipped, and when practical, composted on site, to be used as a soil amendment during final reclamation.
- d. The Department shall be contacted at least 72 hours prior to commencement of any new land clearing or stripping activities at the mine site.

7. Groundwater

- a. In the event that monitoring shows that mining or reclamation activities at this site have caused a lowering of the water table that results in adverse effects on surface waters or a significant reduction in the quantity of groundwater reasonably available for future users of groundwater, the operator will prepare a Water Conservation Plan.
- b. The operator shall develop a water budget for the operation that shows the typical annual volume of gains and losses to mining and reclamation activities. The plan shall also describe the processes and best management practices used in mining and reclamation to reduce the consumptive use of groundwater at the mine site.

8. Water Quality

In the event that monitoring shows that mining or reclamation activities at this site have caused a degradation of groundwater quality that exceeds the standards of Wisconsin Administrative Code NR140 at a point of standards application, the operator shall seek to mitigate these effects by altering site operations.

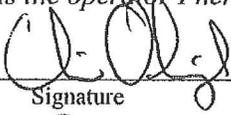
9. Solid Waste & Spills

- a. The import, storage, disposal, or use in reclamation of any solid waste, recyclable materials, or nonmetallic mine refuse generated outside the mine site is subject to the registration provisions of Chapter 30-77 of the Chippewa County Nonmetallic Mining Reclamation Ordinance.
- b. The import, storage, disposal, or use in reclamation of any solid waste, recyclable materials, or nonmetallic mine refuse generated outside the mine site shall be limited to the materials and quantities identified in the reclamation plan or administrative plan amendments.
- c. The Department shall be contacted immediately in the event of a hazardous waste spill, fuel spill, or other incident that could in any way negatively affect groundwater or surface water.

10. Post-Mining Land Use

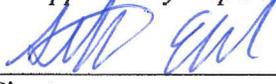
- a. The mine site and permitted area shall be systematically mined and reclaimed using a process of contemporaneous reclamation. The mine site will be reclaimed for the purpose of establishing the post mining land uses of Conservation Land planted to establish prairie wildlife habitat and aquatic wildlife habitat as shown on the “Reclamation Plan” map in the reclamation plan.
- b. The completion of successful reclamation shall be determined through physical site inspections. In making the determination of successful reclamation, the Department may take into account other supporting including information provided by the operator, and information generated from onsite test plots or from other areas of the mine site that have been previously reclaimed.
- c. The success of areas undergoing reclamation shall be determined by the Department using the performance measures defined in the reclamation plan, and any standardized evaluation criteria adopted by the County. The success and sustainability of the site reclamation and the attainment of the post mining land use will be measured and evaluated over a 10 year performance period commencing upon completion of site grading, soils application, and completion of site seeding or planting.
- d. Upon completion of the 10 year performance period the Department will determine if the reclamation for that portion of the mine is complete and if the planned post mining land use has been successfully achieved. If reclamation is determine not to be compete, the performance period will be extended. Reclamation will not be certified if the Department makes a determination that the post mining land use has not been achieved in compliance with the standards for reclamation as established in NR 135 subchapter II including the general standards, and standards for groundwater, surface water, and wetland protection.
- e. Agricultural lands within the permitted mine boundary shall be managed in accordance with all applicable local, state, and federal laws.
- f. The agricultural producer and mine operator shall, before March 15, 2017 or before an alternative date as mutually agreed upon, develop a nutrient management plan that meets the specifications of WI NRCS Technical Guide Standard 590.
- g. The nutrient management plan shall be implemented by the responsible agricultural producer(s) to assure that agricultural operations meet or exceed state agricultural nonpoint pollution control standards, as specified in WI Admin. Rule NR 151. The agricultural producer(s) and mine operator shall report and certify on an annual basis that the nutrient management plan is being followed and that the agricultural pollution control standards are being met.

As the operator I hereby acknowledge and agree to the above permit conditions.


Signature
Chris Olynick
Printed Name - Operator

4-7-16
Date
VP
Title

Permit approval by Department of Land Conservation & Forest Management


Signature
Seth Ebel
Printed Name - Authorized Staff

4-7-2016
Date
Project Engineer
Title