

### 3.11 NON-COAL MINING PERMIT

- *Question: Will earthen material (topsoil, sand, gravel, clay, stone, minerals) be removed from my property? AND Will the disturbance, including roads, stockpiles and drainage controls exceed one acre in size?*

#### Why do I need this approval?

Mining of non-coal minerals (sand, gravel, clay, limestone, granite, shale and dimension stone) is an essential activity making an important contribution to the economic well-being of the State. To minimize the effects of mining on the environment, provide proper land reclamation, and ensure public safety, a permit is required to conduct surface mining.

*(NOTE: Pending regulations will require special approval from the Department regarding the use of coal combustion byproducts for reclamation in a surface mining operation.)*

#### What laws or regulations give MDE the legal authority to issue this approval?

STATE: Environment Article - Title 15, Subtitle 8;  
COMAR 26.21.01.

#### What is the process to get this approval?

- 1) An application for a permit is filed with the Department. A set of plans must be submitted with the application.
- 2) A detailed review is conducted by the Department including comments from other review agencies.
- 3) Once the application has been determined to be complete, an opportunity for a public hearing will be provided.
- 4) A decision on the application will be made within 30 days of the close of the record of the public hearing.
- 5) Submit application, plans and fee to:  
Maryland Department of the Environment  
Mining Program  
P.O. Box 2057  
Baltimore, MD 21203-2057

#### Before I apply for this approval, do I need to get any approvals from the local or federal government?

Local approvals must be obtained from local planning & zoning authorities, soil conservation districts, and county/state road departments.

#### Is this approval directly related or contingent on other approvals?

No.

#### Are there any other requirements?

PRE-APPROVAL: All other related permits (discharge permits, construction general permit, general permit for mining and water appropriation permit for dewatering, etc) must be obtained prior to issuance of a surface mining permit. A performance bond of \$1,250 per acre is required. A final inspection will be made by the Department prior to bond release.

#### How long should I expect it to take to get this approval once I submit a complete application?

7 months

#### Once I get this approval, how long will it last?

Maximum of five years, can be renewed.

#### How much will this approval cost?

Type of Fee	Fee
Permit fee	\$12 per acre per year (\$1,000 maximum)
Special reclamation fee	\$30 per acre
Right of entry recording	\$40.50

#### Who do I contact with additional questions?

C. Edmon Larrimore  
Mining Program  
[Ed.Larrimore@maryland.gov](mailto:Ed.Larrimore@maryland.gov)  
(410) 537-3557

Related link:

<https://mde.maryland.gov/programs/Land/Pages/landpermits.aspx>