



Bluestone Exploration Authorization (BEA) Application

1. Name of Applicant

2. Applicant's Permanent Address (Street Number, Street Name, City, State & Zip Code)

3. Contact Person

4. Telephone Number

5. Email Address

6. Taxpayer I.D. (If other than individual, please provide Federal Taxpayer ID Number)

7. Application Type

New Renewal (one year) Transfer Modification

8. Estimated Period of Exploration (max.1 year)

From: ____/____/____ To: ____/____/____

9. Exploration Location

Road _____ Nearest Road Intersection _____

Town _____ County _____

10. Map Location:

Latitude _____ Longitude _____

(Attach either a topographic quadrangle map or an aerial photo from the NYS GIS Clearinghouse that clearly indicates the location, minimum map size: 8-1/2" x 11")

11. Local Zoning:

a) Is bluestone mining exploration allowed at this location? Yes No

b) Does the local government require any type of permit for bluestone exploration at this location? Yes No (If Yes, please attach a copy)

12. Types of Equipment to be Used (check all that apply)

Drill Rig (Boreholes / Coreholes)

Water Truck

Excavator

Saw, circle all that apply:

Bulldozer

Hand, Table, Walk Behind

Crusher/Breaker

Other: _____

13. Methods of Exploration (check all that apply)

Drilling and Blasting

Trenches

Test Pits

Sawing

14. Name(s) and Address(es) of all Surface Landowner(s)

15. Name(s) and Address(es) of all Mineral Owner(s) (if different from surface owner(s))

16. Description of the proposed bluestone exploration.

a) Describe the proposed bluestone exploration method by answering the following questions:

1) Will the proposed exploration activity occur at an existing quarry? Yes No

2) Will a new road be built or an existing road be improved? Yes No

3) Will the road cross a stream or wetland? Yes No

4) Will existing soils be disturbed? Yes No

5) Provide an estimate of soil thickness for the proposed exploration site.

Average soil thickness _____ inches.

Range of soil thickness: min. _____ inches to max. _____ inches

6) What will be the approximate depth of overburden removed? _____ feet

7) What is the distance from the BEA boundary to the nearest stream or wetland?
_____ feet

8) What is the current condition of the existing vegetation and estimated percent coverage?

Woodland _____%

Sparse Vegetation _____%

Scrub/Brush _____%

Rock Outcrops _____%

Meadow/Pasture _____%

Other: _____%

(The exploration site must at a minimum be returned to its pre-exploration site condition.)

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Woodland _____%

Sparse Vegetation _____%

Scrub/Brush _____%

Rock Outcrops _____%

Meadow/Pasture _____%

Other: _____%

b) Describe the proposed reclamation method by answering the following questions:

1) What is the proposed method for rough grading overburden?

2) What is the proposed method for grading soil/cover material?

3) What is the proposed seed mixture?

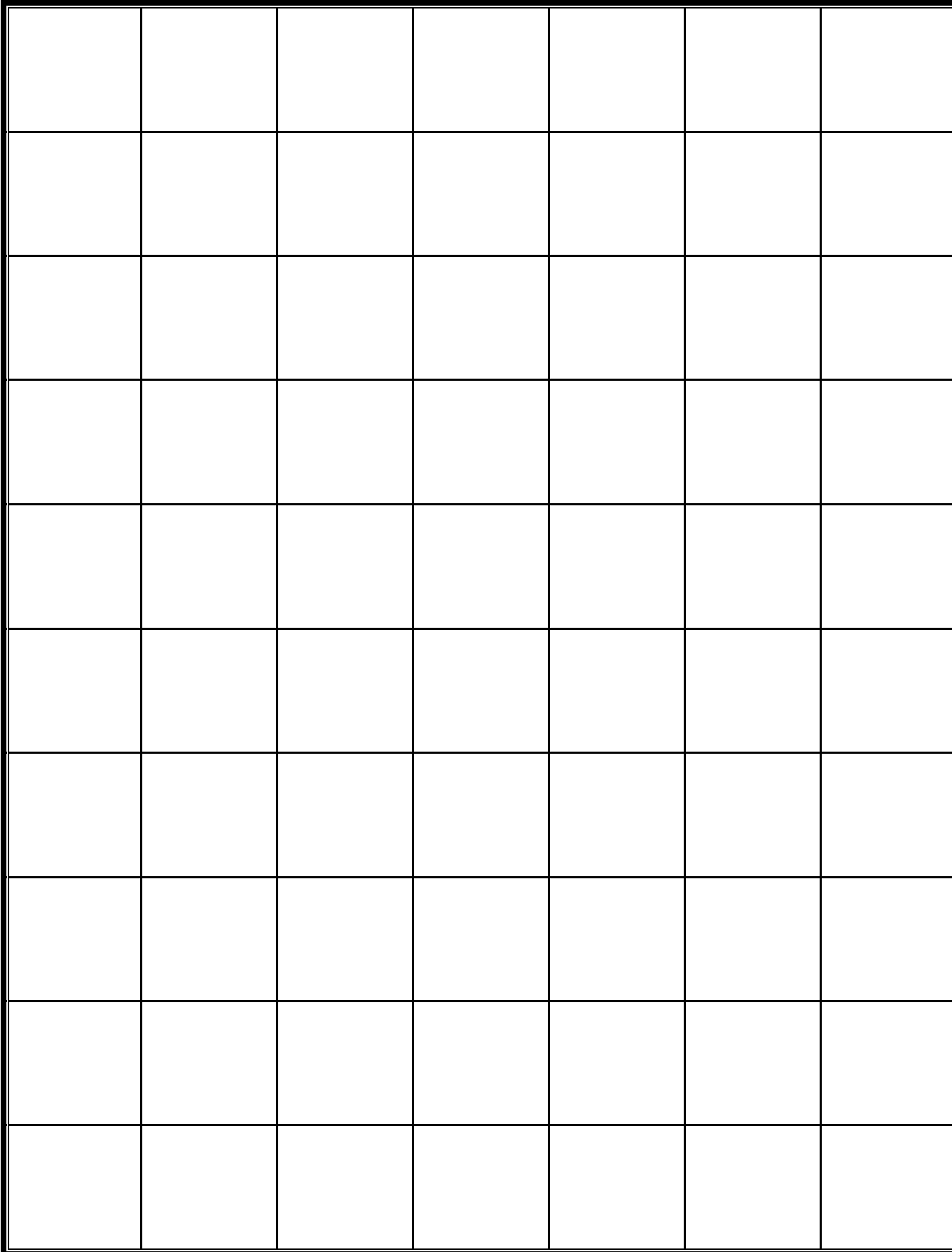
4) What is the proposed rate of application and method?

5) What is the proposed mulch?

6) List the equipment you plan to use to complete site reclamation

17. In the box below, sketch and label the location of the following details:

- a) Outline of Exploration Area (delineate the proposed exploration area if located within the perimeter of a larger, pre-existing mine or exploration area.)
- b) Provide the approximate scale of the sketch (Example Scale: 1" = 50 feet)
- c) Topsoil and Overburden Storage Areas
- d) Sediment Trap, Settling Pond, Erosion Control Devices
- e) Access Road



Note: 1 acre is approximately 209 ft. x 209 ft.

Map Scale: 1" = _____ ft.

18. Performance and Design Standards

a) Exploration Phase

1) Exploration site:

The following standards must be met throughout the duration of the exploration. All controls necessary to meet the standards must be constructed and maintained in accordance with the New York State Standards and Specifications for Erosion and Sediment Control (Blue Book). The Blue Book can be downloaded at <https://www.dec.ny.gov/chemical/29066.html>)

- a. All stormwater (run on and run off) must be contained within the 1-acre exploration area.
- b. All existing soils found at the exploration site shall be saved, stockpiled and stabilized for reclamation.
- c. All spoil rock overburden must be stockpiled separately from soils in a manner to prevent mixing.

2) Access Road

- a. Any existing or to be constructed access road shall have properly constructed and spaced water bars or other stormwater control features and all disturbed areas shall be mulched and seeded to establish permanent vegetative coverage. Water bars or stormwater control features on or along the road must be constructed in accordance with the NYS Forestry Best Management Practices for Water Quality, BMP Field Book. The BMP Field Book can be downloaded at https://www.dec.ny.gov/docs/lands_forests_pdf/forestrybmp.pdf)

b) Reclamation Phase

The following reclamation standards shall apply to this bluestone exploration authorization:

- 1) Reclamation work must be completed no later than one (1) year from the date of authorization.
- 2) Backfilling – Overburden materials must be used to backfill the excavation and are to be pushed back and placed to minimize exposed rock faces. Remaining rock faces must not exceed ten (10) feet in height or must not exceed pre-existing rock face heights.
- 3) Grading – All ridges, peaks and slopes created either by excavation of a mineral or by the disposal of spoils must be left no steeper than the following: rock (ledge or bedrock) 90 degrees depending on the condition and characteristics of the formation; talus (broken rock) 37 degrees, or a slope of 1 vertical on 1-1/4 horizontal, unless the talus is to be covered and revegetated in which case the slope shall not exceed 26 degrees, or a slope of 1 vertical on 2 horizontal; or shall be left no steeper than the pre-existing slope conditions.
- 4) Soil/Cover Material – Any area designated for revegetation must be covered with an amount and type of material sufficient to support the growth of the proposed plant material. A minimum of six (6) inches of a cover material with a soil composition capable of sustaining plant growth shall be provided on all land to be revegetated. The amount of soil cover may be reduced if the applicant can demonstrate that a lesser amount will be sufficient to support the growth of the proposed plant material, or if it is determined that a lesser volume of soil currently exists at the exploration site.

- 5) Revegetation – The site must be seeded with a conservation seed mix containing at least two legumes at the rate (lbs per acre) specified on the packaging, or greater. The site must be mulched with hay or straw so there are no bare spots. An acceptable vegetative cover shall be considered to be a permanent stand or a stand capable of regeneration and succession sufficient to assure 75% coverage of the areas planted if only ground cover (no trees) is utilized or a 60% survival rate for shrubs and trees which are utilized, by the end of the second growing season after planting. The percentage of vegetative cover may be reduced if the applicant can demonstrate that a lesser vegetative cover existed prior to the exploration activities (see Question 16.h).

c) General Operating Conditions

- 1) The required financial security in the amount of five-thousand dollars (\$5,000) must be maintained in full force and effect until reclamation of the exploration authorization area is approved by DEC in writing.
- 2) Exploration site area must not exceed one (1) acre and must not be located within one hundred (100) feet of a body of water.
- 3) There shall be no discharge of turbid water to any area outside the limits of the land to be affected by exploration activities. Drainage and water control features shall be constructed to the extent necessary to achieve this performance standard.
- 4) No material (originating from offsite) of any kind shall be brought into this exploration site except those specified in the approved description of the exploration activity authorization.
- 5) Prior to the commencement of and for the duration of the exploration activity authorization, the limits of the bluestone exploration authorization area must be staked at all corners.
- 6) Any overburden and/or soil removed must remain within the approved authorization exploration area. There shall be no tree, stump or soil casting to any adjacent slope areas.
- 7) Cutting water must be controlled to prevent contamination of any surface or subsurface water.
- 8) There should be no disturbance of any trees or any other vegetation outside the authorized bluestone exploration area in support of the bluestone exploration activity.
- 9) No exploration activity of any kind, including clearing and grubbing, shall occur within twenty-five (25) feet of any adjacent property line or right-of-way. When bluestone exploration is conducted below the level of any adjacent property line, the distance from the floor of the excavation to the nearest property line shall be no closer than twenty-five (25) feet plus 1 and 1/4 times the depth of the excavation.
- 10) All blasting must be performed by a certified blaster licensed by the State of New York.
- 11) Storage of explosives on site must conform to New York State, Department of Labor Industrial Code Rule 39, found at 12 NYCRR 39;
Part 39.6 General Provisions for the Storage and Handling of Explosives
Part 39.8 Construction and Maintenance of Magazines
Part 39.9 Location of Magazines

12) Blasting may occur on any weekday and Saturday between 9:00 AM and 4:00 PM. Blasting is not allowed on Sundays and the following holidays:

New Year's Day

Memorial Day

Independence Day

Labor Day

Thanksgiving Day

Christmas Day

13) The permittee must retain the Department's Spill response number 1-800-457-7362 for immediate access at the exploration site and shall notify the Department's Spill response office of any spill as required by law.

19. As landowner(s) on the lands on which this bluestone exploration authorization is to be conducted, I(we) hereby irrevocably grant to

_____, to his/her heirs, and to the State of New York, the consent to entry upon any land to be affected by the exploration operation prior to the initiation of exploration activities, during exploration activities, and after the activities are completed or abandoned for the purpose of reclamation, planting and inspection or as may be deemed necessary by the Department, until such time as the Department approves the reclamation.

The undersigned hereby acknowledges that the landowner is the owner of the mineral rights on this property and grants the operator the right to mine the minerals located on the area covered by this authorization. Yes No

(If No, the applicant must provide proof of the right to perform bluestone mining exploration.)

Landowner _____
Signature _____ Print Name _____

Landowner _____
Signature _____ Print Name _____

20. I have read the exploration authorization application which sets forth the applicant's exploration and reclamation plans for the property and I hereby consent and agree to conduct all exploration and reclamation activities in accordance with the criteria contained in the authorization form. I certify that my company has five (5) or fewer employees, or that I represent a small business applying on behalf of a company that has five (5) or fewer employees. As used here, a "small business" is any business which is resident in New York State, independently owned and operated, not dominant in its field, and employing not more than one hundred (100) individuals.

Signature of applicant or authorized representative

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a) Period of Exploration Authorization

From: ____/____/____

To: ____/____/____

b) Type and amount of Financial Security

Surety Bond

Certified Check

Certificate of Deposit

Amount \$ _____

Letter of Credit

Mined Land Reclamation Specialist's Bluestone Exploration Authorization Application Approval:

Name: _____ (print clearly)

Signature: _____

Date Bluestone Exploration Authorization Approved: ____/____/____ (month/date/year)



**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF MINERAL RESOURCES**

Bluestone Exploration Authorization (BEA) Application

Instructions

Answer all questions completely and accurately. Incomplete forms will be returned.

If you have any questions regarding this form, contact the Mined Land Reclamation Specialist for the region in which the proposed exploration area is located.

SPECIFIC INSTRUCTIONS:

- Question 1 Enter either the name of the individual or company applying for the bluestone exploration authorization. Corporations and other business entities (e.g., limited liability companies, limited partnerships, limited liability partnerships) must be registered with the New York State Department of State.
- Question 2 Enter the permanent address of individual or company applying.
- Questions 3,4 & 5 Provide the name, telephone number and email address of a contact person.
- Question 6 If the applicant is other than an individual person (e.g. a corporation, sole proprietorship, or small business) enter the taxpayer ID number.
- Question 7 Check the appropriate box. Please note that modification may only be checked for a single 1-time adjustment of the BEA outline and the total affected area must not exceed one acre for the entire duration of the authorization.
- Question 8 Enter the dates of the proposed exploration. Authorization is for one year.
- Question 9 Enter the name of the access road, nearest major intersection, town and county where the exploration will take place.
- Question 10 Enter the location latitude and longitude of the proposed exploration. Provide a copy of the USGS quadrangle map or an aerial photograph from the NYS GIS Clearing house that clearly indicates the location of the proposed exploration.
- Question 11 Check the appropriate box regarding local laws, ordinances or special use permits.
- Question 12 Check the appropriate box regarding types of equipment to be used.
- Question 13 Check the appropriate box on the method of exploration.
- Question 14 Enter the name and address of all surface landowners.
- Question 15 Enter the name and address of all mineral owners.

- Question 16 This section describes the proposed bluestone exploration.
- a) Provide a description of the proposed exploration method by answering questions 1) through 8).
 - b) Provide a description of the proposed reclamation method by answering question 1) through 6)
- Question 17 Provide a sketch/diagram of the area to be disturbed by the exploration. Indicate the approximate map scale. Note: Grid marks are spaced one inch apart.
- Question 18 Lists the performance and design standards that the applicant must implement, maintain, and adhere to during the operation, exploration and reclamation of site.
- Question 19 Enter the name of the individual authorized to conduct the exploration. Check the appropriate box regarding whether the landowner(s) also is/are the mineral rights owner(s), and the application must be signed by all landowners.
- Question 20 Applicant or authorized representative must read and certify all information provided and confirm consent and agreement by signing the completed application.

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These sections will be filled out and completed by the Mined Land Reclamation Specialist upon completion and approval of permittees Bluestone Exploration Authorization Application.

**New York State Department of Environmental Conservation
Regions**



**New York State Department of Environmental Conservation
Regional Offices**

Region 1

SUNY @ Stony Brook
50 Circle Road
Stony Brook, NY 11790-3409
(631) 444-0365

Region 2

1 Hunter's Point Plaza
47-40 21st Street
Long Island City, NY 11101-5407
(718) 482-4997

Region 3

21 South Putt Corners Road
New Paltz, NY 12561-1620
(845) 256-3054

Region 4

1130 North Westcott Road
Schenectady, NY 12306-2014
(518) 357-2069

SUB-OFFICE

65561 State Hwy 10
Stamford, NY 12167-9503
(607) 652-7741

Region 5

PO Box 296
1115 New York State Route 86
Ray Brook, NY 12977-0296
(518) 894-1234

SUB-OFFICE

232 Golf Course Rd.
Warrensburg, NY 12885-1172
(518) 623-1282

Region 6

Dulles State Office Building
317 Washington Street
Watertown, NY 13601-3787
(315) 785-2245

SUB-OFFICE

Utica State Office Building
207 Genesee Street, Room 1404
Utica, NY 13501-2885
(315) 793-2555

Region 7

615 Erie Blvd West, Room 206
Syracuse, NY 13204-2400
(315) 426-7438
SUB-OFFICE
12185 Fisher Avenue
Cortland, NY 13045-1090
(607) 753-3095 ext 233

Region 8

6274 East Avon-Lima Rd.
Avon, NY 14414-2915
(585) 226-5400

Region 9

270 Michigan Avenue
Buffalo, NY 12403-2915
(716) 851-7165

SUB-OFFICE

182 East Union, Suite 3
Allegany, NY 14706-1328
(716) 372-0645