

DOGAMI – MINED LAND RECLAMATION
229 BROADALBIN STREET SW
ALBANY, OR 97321-2246
(541) 967-2039

TOTAL EXEMPTION APPLICATION
Under ORS 517.750-990

INSTRUCTIONS & REQUIREMENTS

A Grant of Total Exemption may be issued for the following reasons:

1. Borrow pit or quarry for access roads or other on-site construction.
2. When less than 1 acre or a total of less than 5,000 cubic yards of material have been or will be removed in a 12-month period.

These are defined in Oregon Administrative Rule 632-030-0016 (1) (a) thru (2) (f):

- (1) (a) "Access Road," as used in ORS 517.750(14), means a road constructed or improved to enable a user of a surface mining operation to reach the site.
- (b) "Total Exemption" means surface mining that is exempt from the requirements of the Mined Land Reclamation Act and OAR Chapter 632, Division 030. The Department may require information to be provided under this rule to establish a total exemption.
- (c) "Other On-Site Construction," as used in ORS 517.750 (14)(b), means the moving, adding, or shifting of sand, gravel, clay, rock, or other similar materials within a construction site such as a road, a river dam and its pool, or real estate development.
- (2) The following excavation or grading activities are exempt from these rules under ORS 517.750 (14) and do not require the payment of fees, posting of bond, or submittal of reclamation plans:
 - (a) Excavation of sand, gravel, clay, rock, or other similar material conducted by a landowner or lessee for the primary purpose of construction, reconstruction, or maintenance of roads on a contiguous parcel..
 - (b) Excavation or grading operations conducted in the process of farming and cemetery operations. The excavation and grading must be for the benefit of farming or cemetery operations on the same site.
 - (c) Operations producing less than 5,000 cubic yards of material per year and disturbing less than one acre of land per year. For mining operations begun after July 1, 1975, this exemption terminates as soon as mining operations affect more than five acres of land. At such time as the exemption terminates, all areas and operations at the site are subject to the Act and the rules adopted thereunder. When multiple mining areas are located within one parcel or contiguous parcels, the yards produced and disturbed acreage shall be calculated based on the total of all sites within the contiguous parcel or parcels.
 - (d) On-site construction operations. The Department may request documentation from the owner or operator establishing that removal of the material is an essential and integral part of the construction work. This documentation shall include evidence that the construction project has been approved by the appropriate land-use authority and a construction time schedule has been filed. An Operating Permit must be obtained before removal of material offsite if the amount of material exceeds 5,000 cubic yards and either:
 - (i) The removal of the material is not an essential and integral part of the construction project; or
 - (ii) The planned development will not occur after completion of mining and reclamation is needed to stabilize land, control weeds, or to provide interim habitat values.
 - (e) On-site road construction. Excavation operations under this exemption must be conducted within a road right-of-way or other easement and be for the primary purpose of road construction, reconstruction, or maintenance.
 - (f) Non-surface impacts of underground mining.

and in Oregon Revised Statutes 517.750 (14)(a) and (b):

- (14) (a) "Surface mining" includes all or any part of the process of mining minerals by the removal of overburden and the extraction of natural mineral deposits thereby exposed by any method by which more than 5,000 cubic yards of minerals are extracted or by which at least one acre of land is affected within a period of 12 consecutive calendar months, including open-pit mining operations, auger mining operations, processing, surface impacts of underground mining, production of surface mining refuse and the construction of adjacent or off-site borrow pits (except those constructed for use as access roads).
- (b) "Surface mining" does not include excavations of sand, gravel, clay, rock or other similar materials conducted by the landowner or tenant for the primary purpose of construction, reconstruction or maintenance of access roads and excavation or grading operations conducted in the process of farming or cemetery operations, on-site road construction or other on-site construction, or nonsurface impacts of underground mines; and also does not include rock, gravel, sand, silt or other similar substances removed from the beds or banks of any waters of this state pursuant to permit issued under ORS 196.800 to 196.825 and 196.835 to 196.870.

An application for a Grant of Total Exemption is not required by the State of Oregon – it is a voluntary registration. To apply for a Grant of Total Exemption, a completed application must be submitted. A complete application consists of the following items:

1. This completed application form (SMLR1-TE). **Both** sides of the application must be completed and must have **original** signatures.
2. Application service charge - \$50. The service charge is non-refundable.

If you have questions, please contact us at (541) 967-2039 or dawn.m.marshall@mlrr.oregongeology.com.

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ALBANY, OR 97321-2246

TOTAL EXEMPTION APPLICATION – PAGE 1

Under ORS 517.750-990

- REASON SITE QUALIFIES:** 1. Borrow pit or quarry for access roads or other on-site construction
 2. <1 acre or a total of less than 5,000 cubic yards have been/will be removed in a 12-month period.

APPLICANT

List the name, address, etc. for the person or company the exemption is to be issued to.

Name _____
Mailing Address _____
Mailing Address _____
City / State / Zip _____
Phone (____) _____
Fax (____) _____
E-mail _____

LANDOWNER(S)

Is the applicant the landowner of this property? Yes No
If no, list below. (*Attach a separate piece of paper if necessary.*)

Name _____
Mailing Address _____
Mailing Address _____
City / State / Zip _____
Phone (____) _____
Fax (____) _____
E-mail _____

CONTACT PERSON

List the contact person if different from the applicant.

Name _____
Phone (____) _____
Other Phone (____) _____
E-mail _____

ACREAGE INFORMATION

What is the total number of acres to be covered under this permit?

How many acres are currently affected by mining?

How many acres are to be affected by mining during the next 12 months?

SITE LOCATION

County _____
Section(s) _____
Township(s) _____
Range(s) _____
Tax Lot(s) _____

Is this site located within ¼ of a mile of a state or federal wild or scenic river corridor? Yes No

Is this site located within the limits of a city? Yes No

If no, complete the following:

Site is _____ miles (N / S / E / W) from
_____ (nearest community).

Is the site address different from the applicant's address? Yes No

If yes, list site address:

Site Name _____

OPERATION INFORMATION

Date mining to begin _____

Check all mining methods and other on-site activities that apply:

- | | |
|--|--|
| <input type="checkbox"/> Drill & Blast | <input type="checkbox"/> Rip & Load |
| <input type="checkbox"/> Shovel, loader or scraper | <input type="checkbox"/> Stockpiling removal |
| <input type="checkbox"/> Crushing <input type="checkbox"/> Screening | |
| <input type="checkbox"/> Washing | <input type="checkbox"/> Administration |
| <input type="checkbox"/> Other _____ | |

Has this site been permitted by DOGAMI in the past? Yes No

If yes, provide DOGAMI ID number, if available, or permittee's name.

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DOGAMI – MINED LAND RECLAMATION
 1536 QUEEN AVENUE SE
 ALBANY OR 97321-6687

TOTAL EXEMPTION APPLICATION – PAGE 2
Under ORS 517.750-990

RESERVES & PRODUCTION *Reserves and production figures shall not be circulated outside of DOGAMI. Confidential per ORS 517.900.*

What is the estimated total quantity (tons) of mineral available (reserves)? _____

In the previous 12 months, how many tons were excavated? _____

During the ensuing 12 months, what is the estimated number of tons to be excavated? _____

COMMODITY

Please indicate the PRIMARY commodity for this site:

Aggregate		Metals	Industrial Minerals		Gemstones/Lapidary/ Mineral Specimens
cinder	andesite	chromium	perlite	zeolite	agate
pumice	basalt	gold-placer	limestone/marble	bentonite	jasper/picture jasper
borrow/fill/topsoil	blueschist	gold-lode	soapstone	clay-brick	thunder eggs
bar run	decomposed granite	copper	emery	clay-other uses	sunstone
dredge tailings	granite	silver	silica sand	quartz/silica/cristobalite	zeolite
sand & gravel	sandstone	nickel	_____	diatomaceous earth	obsidian
_____	serpentine	mercury		building/decorative stone	opal
	shale	_____			_____
PRIMARY use:	construction fill				
concrete aggregate	asphalt aggregate				
base rock aggregate	rip rap				

 APPLICANT'S SIGNATURE

 PRINT OR TYPE NAME OF PERSON SIGNING

 TITLE

 DATE