



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



C. HEIDI GRETHER
DIRECTOR

February 2, 2017

Mr. Thomas Webber
Sargent Sand Company
6105 Jefferson Ave
Midland, Michigan 48640

Dear Mr. Webber:

SUBJECT: Ludington Site, Permit No. SAS-LS-108
Hamlin Township, Mason County

Enclosed is your copy of the Sand Dune Mining Permit issued under Part 637, Sand Dune Mining, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended NREPA. The permit number is SAS-LS-108 for the sand dune mining operation known as the Ludington Site, located in Hamlin Township, Mason County. The permit will expire on December 31, 2021.

Please note the list of Special Conditions enclosed with the permit. In particular, please note condition "S." The 1994 amendment to the progressive cell unit mining and reclamation plan set forth identification and mitigation steps for Pitcher's Thistle, which shall be adhered to.

During the review of SAS-LS-108 permit renewal, our office has identified the need for an Inland Lakes and Streams (Part 301 of the NREPA) permit for lake expansion. Our Water Resources Division (WRD) will be reaching out to you separately to discuss permitting requirements and to begin that process.

If you have any questions in this matter, please contact me by phone at 517-897-4828, or by email at wyganta@michigan.gov; or by mail at Department of Environmental Quality, Oil, Gas, and Minerals Division, P.O. Box 30256, Lansing, MI 48909.

Sincerely,

Adam W. Wygant, Section Manager
Permits and Technical Services Section

Enclosures

cc: Mr. Stafford Dusenbury, DEQ
Ms. Jennifer Ferrigan, DEQ
Permit file

**SAND DUNE MINING PERMIT**

Issued to
Sargent Sand Company
6105 Jefferson Ave
Midland, MI 48640

Permit No. SAS-LS-108-R
Date Issued January 1, 2017
Expiration December 31, 2021
Renewal September 30, 2016
(A=Amendment R=Renewal)

This permit is granted under provisions of Part 637, Sand Dune Mining, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (MCL 324.63701 - 324.63714).

Permitted Activity
Sand Dune Mining

Removal of sand from the property commonly referred to as the "Ludington Site" identified as 108 in documents filed with the Oil, Gas, and Minerals Division, Department of Environmental Quality, Lansing, Michigan pursuant to Part 637, "Sand Dune Mining," Natural Resources and Environmental Protection Act (NREPA), Act No. 451 of the Public Acts of 1994, as amended

Sand Dune Area	County	Township	Town	Range	Section
Grant-Hamlin-Pere Marquette	Mason	Hamlin	T19N	R18W	28, 29, 32, and 33

Authority granted by this permit is subject to the following limitations:

- A. Initiation of any work on the permitted project confirms the permittee's acceptance and agreement to comply with all terms and conditions of this permit and Part 637, Sand Dune Mining, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (MCL 324.63701 - 324.63714).
- B. This permit shall be kept at the site of the work and available for inspection at all times during the duration of the project or until its date of expiration or renewal.
- C. All work shall be conducted and completed in accordance with the plans and specifications submitted with the permit application.
- D. Any duly authorized representative of the Department of Environmental Quality may enter upon the premises described in this permit for the purpose of inspecting the progression of sand dune mining as well as related activities.
- E. This permit does not authorize any injury to private property or invasion of public or private rights, nor does it waive the necessity of obtaining any applicable federal or local permits or complying with other state statutes.
- F. This permit does not prejudice or limit the right of an adjacent owner or other person to institute proceedings in any circuit court of this state when necessary to protect their rights.
- G. Permittee shall notify the Oil, Gas, and Minerals Division, Department of Environmental Quality, in writing, within 45 days of the completion of the project authorized herein.
- H. This permit shall not be assigned or transferred without the written approval of the Oil, Gas, and Minerals Division, Department of Environmental Quality.
- I. Cell units shall be appropriately marked and identified by proper description in the area described in this permit as approved by the Oil, Gas, and Minerals Division, Department of Environmental Quality.
- J. Work to be done under the authority of this permit is further subject to the following special instructions and specifications.

Please see reverse side for additional conditions

By:


Harold R. Fitch, DIVISION DIRECTOR
OIL, GAS, AND MINERALS DIVISION

Date

2/2/2017

- K. The permittee shall take appropriate steps to prevent public access onto the permit area including access by privately owned off-road vehicles. The steps taken might include (but are not limited to): appropriate signs and fencing.
- L. The permittee, upon implementation of the revegetation plan, shall prevent vehicular and pedestrian traffic and any other activities detrimental to the establishment and maintenance of vegetation on reclaimed slopes.
- M. The permittee shall restrict the use of all vehicles and mining equipment to within the limits of active cell units and on haul roads.
- N. Vegetation on buffer areas shall not be removed, damaged, or destroyed in any manner other than what may be allowed by the Progressive Cell Unit Mining and Reclamation Plan, or as approved in writing by the Department as a permit amendment.
- O. The permittee shall immediately suspend relevant operations and notify the Department in the event that any materials of possible archaeological, paleontological, historic, or cultural value are unearthed by the mining operations.
- P. At such time as when a permit is considered for renewal, special permit conditions may be amended, deleted, or added as determined by the Department in accordance with the requirements of the Administrative Procedures Act, Act No. 306, PA 1969, as amended.
- Q. Prior to the initiation of any mining activity, the permittee shall obtain surety bonding (or a letter of credit), approved in writing by the Department, in accordance with the requirements of Section 63712, Part 637, Sand Dune Mining, of the Natural Resources and Environmental Protection Act, Act 451, PA 1994, as amended (NREPA).
- R. Bonding is to be adequate to cover:
 - Total active and interim cells in the area AND
 - All areas designated as plant site and /or related working or storage areas.
- S. Unless authorized in writing by the Department, the permittee shall adhere to the requirements of the current progressive cell unit mining and reclamation plan for this site, which include any subsequent written amendments or modifications approved in writing by the Department.
- T. The Department, upon written application from the permittee, may modify or permit variance from the progressive cell unit mining and reclamation plan or special permit conditions if such modification or variance is determined by the Department not to be contrary to the public interest, and is in accordance with the requirements of the Administrative Procedures Act, Act No. 306, PA 1969, as amended.
- U. The relevant property boundaries and the intersection of cell unit boundaries shall be surveyed and marked by a registered surveyor. Typically these markers are made from polyvinyl chloride (PVC) piping or other durable weather resistant material and extend from the mine floor to a height of not less than six feet. Additional location or reference stakes should be installed so that monuments can be restored if they get knocked down or moved in the mining process or by vandalism. The location of monuments is to be indicated on the appropriate mining plan map supplied to the Department.