



Frequently Asked Questions: Reclamation

Q: What is reclamation?

A. The purpose of reclamation is to get the land ready for post-mining uses. The reclamation requirements are set out in Wis. Stat. ch. 295 and Wis. Admin. Code ch. NR 135. NR 135.05(14) defines reclamation as follows:

Reclamation means the rehabilitation of a nonmetallic mining site to achieve a land use specified in an approved nonmetallic mining reclamation plan, including removal or reuse of nonmetallic mining refuse, grading of the nonmetallic mining site, removal, storage and replacement of topsoil, stabilization of soil conditions, reestablishment of vegetative cover, control of surface water and groundwater, prevention of environmental pollution and if practicable the restoration of plant, fish and wildlife habitat.

Q. What types of facilities do the reclamation requirements apply to?

A. The reclamation requirements apply to all nonmetallic mining sites, including gravel pits, stone quarries, and industrial sand mines, as defined in NR 135.05(11).

Q. What is a reclamation plan and what must it include?

A. All nonmetallic mining operations are required to develop and implement a reclamation plan, which sets out how and when the site will be reclaimed. The reclamation plan must include financial assurance that the requirements of the plan will be completed regardless of the future financial circumstances of the mine operation. The financial assurance is usually in the form of a performance bond or a letter of credit equal to the cost of reclamation.

At larger nonmetallic mines reclamation is frequently an ongoing process in which mining and reclamation are conducted concurrently: for example, the mine operator will open a portion of the mine site and as that portion is mined, it is also reclaimed. Final reclamation occurs when the entire mine closes down and ceases operation.

Q. Is mining allowed to start before the reclamation plan is approved?

A. No. The reclamation plan must be approved before mining starts. The approving authority for the reclamation plan is usually the county in which the mine is located. However, the approving authority may be the town, city or village in which the mine is located, if that local municipality has enacted its own reclamation ordinance in compliance with the requirements of NR 135 or been authorized by WDNR to enforce a pre-existing ordinance.

Q. Who is responsible for enforcement of the reclamation requirements?

The approving authority is also called the regulatory authority and is responsible for enforcement of the reclamation requirements. The law requires each county to enact and administer a nonmetallic mining reclamation ordinance that applies to all areas within the county except for any towns, cities, or villages that enact and administer their own compliant reclamation ordinance. The law allows, but does not require, towns, cities, and villages to enact a reclamation ordinance. If a county has not enacted a nonmetallic mining reclamation ordinance, and the municipality in which the mine site is to be located does not have an ordinance, then WDNR is responsible for enforcing the reclamation requirements. These responsibilities are set out in NR 135.32.

Q. Where can I find more information?

See DNR's website page at the following link for more information about reclamation:
<http://dnr.wi.gov/topic/mines/reclamation.html>

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