Red = statutory definition
Green = administrative rule definition
Blue = new silica sand definitions

Preliminary EQB EAW Thresholds:

A. For development of a silica sand project for the extraction or mining of silica-rich sandstones that will result in 20 or more acres of mine area during the project's existence, **the local government unit is the RGU**.
B. For development of a silica sand facility, under subitems (1) and (2), **the PCA is the RGU** for the following:
   (1) a silica sand facility designed to produce an annual throughput of 200,000 tons or more of silica sand or designed to store 7,500 tons or more of silica sand; or
   (2) the expansion of a silica sand facility designed to produce an annual throughput of 200,000 tons or more of silica sand by a 50 percent or more increase in annual throughput.
C. For development of a silica sand project for the extraction or mining of silica-rich sandstones, that requires a DNR trout stream setback permit and will result in fifteen or more acres of mine area during the project's existence, **the DNR is the RGU**.
D. For development of a silica sand project for the extraction or mining of silica-rich sandstones that will result in two or more acres of mine area in a forested or other naturally vegetated land in a sensitive shoreland area, or ten (10) or more acres of mine area, during its existence, in a forested or other naturally vegetated land in a non-sensitive shoreland area, **the local government unit is the RGU.**

Preliminary EQB EIS Thresholds:

A. For development of a silica sand project for the extraction or mining of silica-rich sandstones that will result in 80 or more acres of mine area during the project's existence, **the local government unit is the RGU.**
B. For development of an underground silica sand mine, **the local government unit is the RGU.**

Preliminary EQB Definitions:

Subp. 1b. **Aggregate.** "Aggregate" means sediment or crushed rock derived from bedrock that such as to dolostone, limestone, granite, basalt, and rhyolite. Aggregate does not include silica-rich sandstones.

Subp. 46a. **Mine area.** "Mine area" means contiguous or adjacent lands, under control of the same person, or entity in whole or part, used in connection with present or proposed silica sand mining. Mine area includes the lands used in combination with silica sand mining on which:

(1) material is deposited;

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(2) silica sand facilities are located;
(3) mineland water bodies used in the mining process are located; and
(4) auxiliary lands that used or intended for future use in a particular mining operation are located.

Mine area excludes access roads outside of the mine area or lands that have been release from financial assurance under 61XX.0420.

Subp. 47b. **Mine Waste.** "Mine waste" means silica sand that remains after processing or earthen material displaced by mining activities.

Subp. 47b. **Mining.** "Mining" as used in parts 4410.4300, subpart 12a and 4410.4400, subpart 9a, has the meaning given in Minnesota Statutes, section 116C.99, subdivision 1, paragraph (b).

Subp. 54a. **Open Storage Pile.** "Open Storage Pile" means any unenclosed storage area that is used to store silica sand.

Subp. 82a. **Silica-rich sandstones**. "Silica-rich sandstones" means earthen material consisting of quartzose sedimentary rock of mostly sand-sized particles. Quartzose is a physical characteristic of a sedimentary rock formation where greater than 90 percent of the constituent rock particles consist of pure quartz. Examples of silica-rich sandstones include the formally recognized and described quartzose sandstones defined in RI-65 Paleozoic Stratigraphic Nomenclature for Minnesota, Minnesota Geologic Survey, Report of Investigations (2008). The report is incorporated by reference, is not subject to frequent change, and is available through the Minitex interlibrary loan system.

Subp. 82b. **Silica sand.** "Silica sand" has the meaning given in Minnesota Statutes, section116C.99, subdivision 1.

Subp. 82c. **Silica sand facility.** "Silica sand facility" means any facility where:

(1) silica sand processing equipment is operated; or
(2) transloading equipment is operated; or
(3) an open storage pile is established and maintained; or
(4) a silica sand storage system is operated.

Subp. 82d. **Silica sand processing equipment.** "Silica sand processing equipment" means machinery used to reduce the size of silica sand or to separate silica sand from mine waste and the equipment used to convey silica sand to or remove silica sand and mine waste from the machinery. Examples of silica sand processing equipment include: breakers, washers, filters, crushers, screens, and conveyors.

Subp. 82e. **Silica sand project.** "Silica sand project" has the meaning given in Minnesota Statutes, section116C.99, subdivision 1.

Subp. 82g. **Silica sand storage system**. "Silica sand storage system" means any facility used to store silica sand except for open storage piles.

Subp. 89b. **Throughput.** "Throughput" as used in part 4410.4300, subpart 12a, item B means the number of tons of silica sand received, plus the number of tons of silica sand shipped, divided by two, determined on the

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basis of an average year. An average year is determined by averaging the actual receipts and anticipated receipts and shipments.

Subp. 89c. **Transloading.** "Transloading" means the process of transferring silica sand from one truck, trailer, railcar or barge to another truck, trailer railcar or barge.

Subp. 89d. **Underground silica sand mine.** "Underground silica sand mine" means below-surface mining for silica sand. Examples are excavation of adits, shafts, drifts, and stopes. Access is often via horizontal drifts or gradual declines into the earth to reach underground, in-place silica sand deposits. Mining is typically by room and pillar or open stope mining methods.

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