

RESOLUTION NO. ²⁰⁻36
RECLAMATION STANDARDS FOR
COUNTY OWNED SURFACE MINES

A RESOLUTION OF THE COUNTY COMMISSIONERS OF WORCESTER COUNTY
RECLAMATION STANDARDS FOR COUNTY OWNED OR OPERATED BORROW PITS
WHICH ARE UTILIZED FOR THE CONSTRUCTION OR MAINTENANCE OF COUNTY
ROADS AND OTHER PUBLIC FACILITIES.

WHEREAS, the State Surface Mine Law, Title 15, Subtitle 8 of the Annotated Code of Maryland, provides for the protection and conservation of the natural resources of the State of Maryland and the reclamation of areas of land affected in the surface mining of metallic and non-metallic minerals other than coal, aids in the protection of birds and wildlife, decreases soil erosion, prevents pollution of rivers, streams and lakes, prevents loss or waste of valuable mineral resources, prevents and eliminates hazards to health and safety, to provide for reclamation of mined areas so as to assure the use of these lands for productive purposes, and generally provides for the continued use and enjoyment of these lands.

WHEREAS, after January 1, 1977, no person may conduct an active operation to extract minerals by the surface mining method in the State without first obtaining a surface mining operator's license.

WHEREAS, after January 1, 1977, no licensed operator may engage in surface mining within the State of Maryland without first obtaining a surface mining permit which covers the affected land.

WHEREAS, the provisions of the Surface Mine Law do not apply to activities of the State Highway Administration, any County Roads Department in the State of Maryland, any legally-constituted public governing entities such as municipal corporations, or to activities of any person acting under contract with any of these public agencies or entities, on highway rights-of-way or borrow pits maintained solely in connection with the construction, repair and maintenance of the public roads system of the State of Maryland or other County or public facilities.

WHEREAS this exemption does not become effective until the public agencies or entities have adopted reclamation standards applying to activities and the standards that are approved by the Maryland Department of the Environment.

WHEREAS the County Commissioners of Worcester County desires to amend reclamation standards applying to the activities in County owned or operated borrow pits, which are utilized for the construction or maintenance of County Roads or other County facilities.

NOW THEREFORE, BE IT RESOLVED THIS day of NOVEMBER, that the County Commissioners of Worcester County, Maryland, establish the following reclamation standards for County owned borrow pits:

**RECLAMATION STANDARDS FOR BORROW PITS OWNED BY
WORCESTER COUNTY, MARYLAND**

1. A completed "Application for County Exemption" form and a site plan of the affected land indicating previous and future use of the borrow pit shall be submitted to the Maryland Department of the Environment for review and approval.
2. Where applicable, the removal of borrow material should be staged so that reclamation can immediately follow completion of a portion of the site. Total reclamation shall be performed upon completion of removal of material from site.
3. Site selection of a borrow pit shall not violate any state or applicable local laws or ordinances - i.e., zoning, floodplain encroachment, sedimentation controls, Critical Area Plan, etc.
4. The Maryland Department of the Environment shall make periodic site inspection. The Maryland Department of the Environment shall also conduct a final review of the reclamation only after the Worcester County Department of Public Works requests it.
5. If periodic inspections show that dust control, visual screening, and proper safety precautions are not being observed, then measures must be taken to correct these conditions.
6. Sediment Controls as recommended by the Natural Resources Conservation Service and approved by the Worcester Soil Conservation District shall be constructed prior to the start of mining operations.
 - a. Surface runoff from surface mined areas shall be controlled by means of earth berms and sediment basins or traps.
 - b. Mountable berms across roadways shall be used to deflect surface runoff from roadways at critical areas.
 - c. All final slopes shall not exceed 3:1 above the water surface elevation or 2:1 below the water surface.
 - d. All disturbed area shall be seeded as mining is completed as follows:
 - i. Lime - 90 lbs. per 1,000 square feet or 2 Tons per acre.
 - ii. 10-20-20 Fertilizer
 1. Nitrogen – 45 lb per acre or 1 lb per 1,000 square feet
 2. Phosphorous – 90 lb/ per acre or 2 lbs per 1,000 square feet
 3. Potassium – 90 lb per acre or 2 lbs per 1,000 square feet
 - iii. Tall Fescue - 60 lbs per acre.
 - iv. Kentucky Bluegrass - 40 lbs per acre.
 - v. Perennial Rye Grass - 20 lbs per acre.

- e. A final inspection of reclamation shall be made by the Maryland Department of the Environment after receiving a written request from the Worcester County Department of Public Works.

PASSED AND ADOPTED this 17TH day of NOVEMBER, 2020.

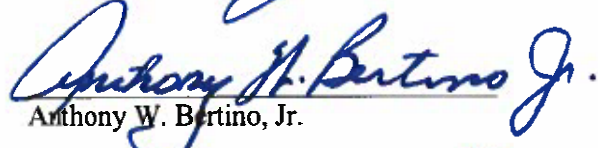
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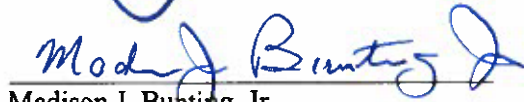

Harold L. Higgins
Chief Administrative Officer

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