

Policy Memorandum No. 21 to Mine Operators

Date: August 1, 1995
To: Mine Operators and Lignite Council
From: Commissioners Wefald, Hagen and Reinbold
Subject: Mine Waste Disposal

The purpose of this Policy Memorandum is to provide guidance on the general subject of mine waste disposal in keeping with the Commission's rules in NDAC Chapter 69-05.2-19, and the revised North Dakota solid waste management rules promulgated by the State Department of Health. The solid waste management rules are found in NDAC Article 33-20.

Onsite disposal of certain kinds of wastes generated during the mining operation does not require a Health Department solid waste management permit. These materials include rock, boulders, dirt, trees and brush, and they can be disposed of in mined-out pits and spoils without any specific plans in the surface mining permit issued by the PSC.

Certain other mining operation wastes can be disposed of in the mined-out pits without a Health Department permit. Materials falling under this category include: inert waste from inspected farmsteads; wood materials including pallets, lumber, lath, cable spools, fence posts and similar items; brick, concrete block and cured concrete; and plastic material and pipe. Unless already addressed in the surface mining permits issued by the PSC, companies will need to revise those permits to identify areas where the inert waste materials will be deposited. No designed liners or barriers are needed for disposal areas used only for inert wastes.

Please note that for easier tracking, the revised Health Department rules require that inert waste disposal areas be limited to a size no larger than necessary to properly conduct the disposal operation.

If other types of wastes will be disposed of in mined areas, the appropriate waste disposal permit must be obtained from the State Department of Health. The PSC must be advised of these plans as well.

Disposal sites and operations will continue to be inspected as part of normal mine inspection activities either by the Reclamation Division or jointly with personnel from the State Health Department's Division of Waste Management.

Finally, the Commission encourages the mining industry to continue its efforts to reduce and recycle mine wastes.

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