

SUBJECT: Roads

DATE: November 1, 2001 - Revised 09-01-06

Legal Authority: 38-3-5

Listed below are a few of the requirements for haulroads and infrequently used access roads:

- All proposed haulageways or other transportation facilities must be clearly identified on the ground at not less than 100-foot centers during the pre-inspection of the proposed activity. Existing roads are exempt from this requirement.
- Infrequently used access roads may be used to provide infrequent service to facilities used in support of quarrying, reclamation activities, and other limited use activities not required for the post quarrying land use. Roads used for maintenance of sediment control structures and water sampling could be deemed infrequently used access roads.
- Ditches shall be required to pass a one-year, twenty-four hour precipitation event.
- All crossings of intermittent or perennial streams shall be designed to pass the ten-year twenty-four hour precipitation event from the contributing watershed.
- The deposition of mud and debris on public roads shall be minimized to the extent possible in order to prevent public nuisance.
- The use of existing roads for access and haulage may be exempt from the design and construction standards of the rule if greater environmental harm would be realized by implementation of the standards.
- All haul roads located outside the mineral extraction area, processing areas, or excess spoil disposal areas for which design criteria were approved shall be certified. Roads located in the mineral extraction, processing areas, or excess spoil disposal areas served by designed sediment control structures do not require certification.

SUBJECT:	Mud and Debris on Public Roads
DATE:	November 1, 2001 - Revised 09-01-06

Legal Authority: 22-4-14(e), 22-4-24(b), 38-3-5.1, 38-3-5.15

To insure protection to the general public and to the environment, the following guidelines shall be used:

When mud, debris, or other quarry related materials are being tracked or deposited on a public roadway directly from a quarry operation, several degrees of seriousness can occur depending upon the conditions.

- A. If there exists an imminent and substantial harm to the environment, public safety, or public health due to the conditions on the public roadway caused by carry-out or deposition from the quarry operation, then issue a Cessation Order (CO) citing Chapter 22-4-14(e) and 38-3-5.1 & 5.15 of the Rules with the following language as appropriate:

Cease the use of [permit area in question] at the junction of public roadway [state road system designation] due to imminent and substantial harm to the environment, public safety, or public health caused by [cite conditions causing the problem on the public roadway].

Abatement measures should be:

Correct all conditions causing the imminent and significant harm to the environment, public safety, or public health caused or contributed to by the quarry operation on the public roadway and all conditions on the permitted area that are causing or contributing to those dangerous conditions on the public roadway.

- B. When a lesser degree of off-site deposition of materials is occurring, a Notice of Non-compliance (NON) shall be issued citing Chapter 22-4-14(e) & (m) and 38-3-5.1 & 5.15 of the Rules with the following language as appropriate:

No permittee may engage in or allow the throwing, dumping, piling, or otherwise placing of any *[choose appropriate language: overburden, stones, rocks, coal, mineral, earth, soil, dirt, debris, trees, wood, logs]* or other materials or substances of any kind or nature beyond or outside the area of land which is under permit for which bond has been posted.

Abatement measures should be along the lines of:

Clean and remove all mud and/or debris accumulations outside of the permit area on *[state road system designation]* and provide a method to limit deposition of material onto *[state road system designation]*.

C. In cases where there is negligible disruption to or deposition on the public roadway, then wording on an MR-6Q referring to 38-3-5.1 & 5.15 will serve as written notification of a potential problem: “Utilize and maintain permitted roads to prevent damage to public or private property and prevent public nuisance.”