

Comments on the 11/30 draft Mining Ordinance V3

Article IV. Prohibited Activities (5):

- Alna residents have consistently stated that they do not want a second (or more) large commercial mining operation in town, and want to maintain the status quo. **For some reason, the wording in this item was changed that now greatly expands the size operations can achieve by ignoring total size and focusing on only the active or working pit size, which is now entirely too large at 5 acres. The wording should be changed back to what the two first versions of the draft ordinance read, which is:**

Mining operations with a **total excavated area** (including adjacent parcels under a common owner or operator) of more than 5 acres.

An active working pit of 5 acres is huge, and greatly increases the overall size of allowed operations. This does not jive with the ad hoc committee goals of preventing another large operation in town and maintaining the status quo for small operations.

Article VI. Application

- **Section 1(A)(4): This item needs significant re-writing.** It is unclear what type of “annual report” is being referred to here. An annual corporate report or filing with the Maine Secretary of State, for example, does not show enough detail whether or not the mining operation owned by that corporation has been actively and substantially used within the last two years. Anyone could create a fictitious business for mining and use that “document” to justify pre-existing status to get around regulation. **Documentation that shows actual and substantial use of the mining operation must be required to establish pre-existing status. If this can’t be provided, the operation should file for a new permit just like other new operations would need to.**
- **Section 3(E): Site visits should also be required for expansions,** i.e. “The Board shall conduct a site visit for any new mining or bedrock quarrying application or for any expansion of an existing mining or bedrock quarrying application.”

Article VII. Performance Standards

- **Section 1: Why were performance standards removed for mining operations? The impacts to Alna residents for mining operations are the same as for quarrying, and the fact that there are more mining operations in town only amplifies the need for these**

standards. Please add the standards related to noise, air quality, dust , odors, secured vehicles and roads back in from previous versions of the draft ordinance.

- **Section 2** The title of this section should include expansions: "Standards for New or Expanded Bedrock Quarrying and Mining Operations."

Article IX. Compliance

- **Section 1(D): Existing operations should also be on a five-year renewal schedule starting at the adoption of this ordinance.**

One of the wisest requirements the Town (actually through Topsham's blasting ordinance) placed on operations like Crooker was a permit renewal cycle that allows regular review for blasting. This is one of the only ways the town has any say in Crooker's operations or other commercial operations to protect the Town and its residents.

Thank you again for the opportunity to comment on this ordinance.

Jeff Philbrick