

HOUSE RESEARCH

Bill Summary

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Overview

This bill: requires the Environmental Quality Board to develop model standards and criteria for silica sand mining, processing and transporting that local governments can use when developing ordinances; establishes a technical assistance team to help local governments with silica sand related ordinances, zoning, and permitting issues; requires rules; and appropriates money for development of the model standards and criteria and for the required rulemaking.

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1 Silica sand mining model standards and criteria. Adds § 116C.99.

Subd. 1. Definitions. Defines various terms for purposes of the section.

Subd. 2. Standards and criteria. Requires the Environmental Quality Board (EQB), in consultation with local units of government, to develop model standards and criteria for mining, processing, and transporting silica sand that local governments may use when developing local ordinances. Requires the standards and criteria to include a number of items, including various setback requirements, groundwater and surface water requirements, criteria related to air quality, noise requirements, inspection requirements, reclamation requirements and financial assurance requirements.

Subd. 3. Silica sand technical assistance team. Requires the EQB to assemble a silica sand technical assistance team by October 1, 2013, to provide local governments with assistance with ordinance development, zoning, environmental review, and

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permitting, and other issues related to silica sand. States that the team can be up to seven members and specifies the agencies and institutions the members may be drawn from.

Subd. 4. Consideration of technical assistance team recommendations.

Requires local government units, who have requested assistance from the technical assistance team, to consider any findings or recommendations related to a proposed silica sand project that the team has for the protection of human health and the environment when approving or denying a project. Requires a silica sand project proposer to cooperate in providing local government and members of the technical assistance team with information regarding the project.

- 2** **Technical assistance, ordinance, and permit library.** Directs the EQB, in consultation with local governments, to establish a library of ordinances and permits that have been approved for regulation of silica sand mines.
- 3** **Rules.** Requires the commissioner of the Pollution Control Agency (PCA) to adopt rules for control of particulate emissions and to consider and incorporate as appropriate regulations contained in the Wisconsin Administrative Code related to industrial sand mines. Requires the commissioner of natural resources to adopt rules on reclamation and to consider and adopt as appropriate the Wisconsin Administrative Code related to reclamation of industrial sand mines. Requires the Department of Health to adopt an air quality health advisory for silica sand.
- 4** **Appropriation; Technical assistance team and model standards and criteria.** Appropriates unspecified amounts from the general fund for the EQB to develop the model standards and criteria required and to the PCA and DNR to develop rules.