

HOUSE BILL NO. HB0026

Limited mining operations-amendments.

Sponsored by: Joint Minerals, Business & Economic Development
Interim Committee

A BILL

for

1 AN ACT relating to environmental quality; revising
2 requirements for the continuation, termination and
3 abandonment of limited mining operations as specified;
4 providing for renewal of limited mining operations as
5 specified; and providing for an effective date.

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7 *Be It Enacted by the Legislature of the State of Wyoming:*

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9 **Section 1.** W.S. 35-11-401(e)(vi)(intro), (C) and by
10 creating new subparagraphs (E) and (F) is amended to read:

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12 **35-11-401. Compliance generally; exceptions.**

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14 (e) The provisions of this article shall not apply to
15 any of the following activities:

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(vi) Limited mining operations, whether commercial or noncommercial, for the removal of sand, gravel, scoria, limestone, dolomite, shale, ballast or feldspar from an area of fifteen (15) acres or less of affected land, excluding roads used to access the mining operation, if the operator has written permission for the operation from the owner and lessee, if any, of the surface. The operator shall notify the land quality division of the department of environmental quality and the inspector of mines within the department of workforce services of the location of the land to be mined and the postal address of the operator at least thirty (30) days before commencing operations. A copy of the notice shall also be mailed to all surface owners located within one (1) mile of the proposed boundary of the limited mining operation at least thirty (30) days before commencing operations. The operator shall notify the land quality division of the department of environmental quality of the date of commencement of limited mining operations within thirty (30) days of commencing operations. Limited mining operations authorized under this paragraph are subject to the following:

1 (C) After the limited mining operations have
2 ceased, ~~or within thirty (30) days after abandonment of the~~
3 ~~limited mining operation,~~ the operator shall notify the
4 administrator of such fact in the operator's next annual
5 report and commence reclamation and restoration in compliance
6 with the rules and regulations of the land quality division
7 of the department of environmental quality. The rules and
8 regulations for reclamation shall at all times be reasonable;
9 ~~and~~

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11 (E) The limited mining operations shall be
12 terminated if the operator does not commence operations
13 within five (5) years as noted in the annual report following
14 notification to the land quality division of the department
15 of environmental quality under this paragraph;

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17 (F) Limited mining operations may continue
18 for not more than five (5) years from the date of commencing
19 operations unless a notification to extend operations is
20 submitted to the land quality division administrator.
21 Operators shall submit a notification of extension for every
22 subsequent five (5) year period with the annual report.

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1 **Section 2.** This act is effective July 1, 2019.

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(END)