



ADMINISTRATIVE RULES OF MONTANA



17.24.185 SMALL MINER METAL LEACHING SOLVENT OR REAGENT APPLICATIONS

- (1) A small miner proposing to operate cyanide or other metal leaching solvents or reagents in a processing facility and mine under a small miner exemption must continue to meet the criteria for a small miner exemption under 82-4-305 , MCA, concerning the mining operation. The acreage disturbed by the cyanide or other metal leaching solvent or reagent ore processing operation and covered by the operating permit pursuant to 82-4-335 (2) , MCA, is excluded from the five acre limit.
- (2) A small miner must obtain an operating permit for cyanide processing facilities and must meet requirements for these facilities imposed by statute and rule unless the facility is grandfathered pursuant to section 4 of Chapter 347, Laws of 1989.
- (3) A small miner proposing to use metal leaching solvents or reagents other than cyanide in an ore processing facility must obtain a permit for those facilities pursuant to 82-4-335 (2) , MCA, for operations for which a valid small miner exclusion statement had not been obtained prior to May 1, 1999.
- (4) To expedite permitting of cyanide or other metal leaching solvent or reagent facilities, the department shall make available to a small miner who has submitted or may submit an application for a permit to operate a cyanide or other metal leaching solvent or reagent ore processing facility appropriate department staff to determine how baseline, operating and reclamation plan requirements may be met in view of conditions and characteristics of the site at which the facility is proposed. The department shall process these permit applications as expeditiously as possible consistent with statutory deadlines for other permit applications and the department's obligations under the Montana Environmental Policy Act.
- (5) An application for a small miner cyanide or other metal leaching solvent or reagent ore processing operating permit must contain:
 - (a) baseline information meeting the requirements of ARM 17.24.186;
 - (b) an operating plan meeting the requirements of ARM 17.24.187; and
 - (c) a reclamation plan meeting the requirements of ARM 17.24.188.

Authorizing statute(s): 82-4-321, MCA

Implementing statute(s): 82-4-305(7), 82-4-335(2), MCA

History: NEW, 1991 MAR p. 445, Eff. 4/12/91; TRANS, from DSL, 1996 MAR p. 2852; AMD, 1999 MAR p. 640, Eff. 4/9/99; AMD, 2000 MAR p. 473, Eff. 2/11/00.