



ADMINISTRATIVE RULES OF MONTANA

17.24.1225 SMALL OPERATOR ASSISTANCE PROGRAM: DATA REQUIREMENTS

- (1) The department shall determine the data collection requirements for each applicant based on:
 - (a) the extent of currently available hydrologic, core analysis, and other resource or environmental data for the applicable area; and
 - (b) the data collection and analysis requirements of subchapter 3 and any other applicable portions of these rules.
- (2) Data collection and the results provided must be sufficient to satisfy the requirements for:
 - (a) a determination of the probable hydrologic consequences of the mining and reclamation operations, both on and off-site.
 - (i) The data required for this determination must be collected pursuant to ARM 17.24.304(1)(e) and (1)(f) ;
 - (ii) The determination of probable hydrologic consequences must be made pursuant to ARM 17.24.314;
 - (iii) The report of the determination must include engineering analyses and designs necessary for the determination;
 - (b) a statement of the results of test borings or core samplings from the proposed permit area, including information on overburden and coal, as required by ARM 17.24.304(1)(g)(i) and 17.24.322(2)(a) ;
 - (c) the preparation of maps, cross-sections, and plans under subchapter 3 to the extent allowed by 30 CFR 779.25 and 783.25;
 - (d) cultural and historic information pursuant to ARM 17.24.304(1)(b) and (1)(d) and the development of mitigation measures pursuant to ARM 17.24.318;
 - (e) preblasting surveys pursuant to ARM 17.24.622;
 - (f) climatological information and an air pollution control plan pursuant to ARM 17.24.304(1)(h) and 17.24.311, respectively;
 - (g) a vegetation survey and revegetation plan pursuant to ARM 17.24.304(1)(i) and 17.24.313(5) and applicable rules in subchapter 7, respectively;
 - (h) a fish and wildlife survey and a fish and wildlife plan pursuant to ARM 17.24.304(1)(j) and 17.24.312, respectively;

- (i) a soil survey and a soil salvage and redistribution plan pursuant to ARM 17.24.304(1)(k) and 17.24.313(1)(f) and applicable rules in subchapter 7, respectively; and
 - (j) a statement of the condition, capability and productivity of the land pursuant to ARM 17.24.304(1)(l) .
- (3) The statement under (2)(b) may be waived by the department by a written determination that such requirements are unnecessary with respect to the specific permit application.
 - (4) Data collected under this program must be made available to all interested persons.

Authorizing statute(s): 82-4-205, MCA

Implementing statute(s): 82-4-221, MCA

History: NEW, 1980 MAR p. 725, Eff. 4/1/80; AMD, 1989 MAR p. 30, Eff. 1/13/89; TRANS, from DSL, 1996 MAR p. 3042; AMD, 1999 MAR p. 811, Eff. 4/23/99; AMD, 2004 MAR p. 2548, Eff. 10/22/04; AMD, 2024 MAR p. 260, Eff. 2/10/24.