



ADMINISTRATIVE RULES OF MONTANA

17.24.1148 DESIGNATION OF LANDS UNSUITABLE: DATA BASE AND INVENTORY SYSTEM

- (1) The department shall develop a data base and inventory system which will permit evaluation of whether reclamation is feasible in areas covered by petitions.
- (2) The department shall include in the system information relevant to the criteria in 82-4-228(2), MCA, including, but not limited to, information received from the United States fish and wildlife service, the department of fish, wildlife, and parks, and the state historic preservation officer.
- (3) The department shall add to the data base and inventory system information:
 - (a) on potential coal resources of the state, demand for those resources, the environment, the economy and the supply of

coal, sufficient to enable the department to prepare the statements required by 82-4-228(3), MCA; and
 - (b) that becomes available from petitions, publications, experiments, permit applications, mining and reclamation operations, and other sources.
- (4) The department shall:
 - (a) make the information and data base system available to the public for inspection free of charge and for copying at reasonable cost; and
 - (b) provide information to the public on the petition procedures necessary to have an area designated as unsuitable for all or certain types of strip or underground coal mining operations or to have designations terminated and describe how the inventory and data base system can be used.
- (5) The department shall maintain a map of areas designated as unsuitable for all or certain types of strip or underground coal mining operations.
- (6) The department shall make available to any person any information within its control regarding designations, including mineral or elemental content which is potentially toxic in the environment.

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

Implementing statute(s): 82-4-227, 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, 2024 MAR p. 260, Eff. 2/10/24.