



ADMINISTRATIVE RULES OF MONTANA



17.24.169 MILLS: RECLAMATION PLANS

- (1) An application for an operating permit pursuant to ARM 17.24.167 must contain a plan that provides for the reclamation of all the land to be disturbed by the proposed milling operation and associated activities. The plan must, at a minimum, include the following:
 - (a) all of the requirements of a reclamation plan set forth in 82-4-303 (13) (a) and (d) through (h) , 82-4-336 , MCA, and ARM 17.24.115;
 - (b) a regarding plan which leaves all disturbed areas in a stable configuration and which conforms with the proposed subsequent use of the land after reclamation. The department may require the use of cross-sections, topographic maps or detailed narrative, or a combination of these, to ensure that the application adequately describes the proposed topography of the reclaimed land. All reclaimed slopes on materials potentially acid or toxic forming shall be graded to assure future erosion of acid and toxic forming materials offsite is prevented using prudent slope angle and length;
 - (c) a description of the manner in which the soil materials will be redistributed from the stockpiles to the area to be reclaimed (e.g., truck/loader, scrapers) , to provide for adequate revegetation;
 - (d) a description of the methods by which surface and ground water will be restored or maintained to meet the criteria of Title 75, chapters 5 and 6, MCA, as amended, or rules adopted pursuant to these laws, including methods used to monitor for accidental discharge of objectionable (potential toxic or acid-producing) materials, plans for detoxification or neutralization of such materials, and remedial action plans for control and mitigation of discharges to surface or ground water;
 - (e) a plan for the reestablishment of vegetation which conforms with the proposed subsequent use of the land after reclamation. Such revegetation plan must consider the following:
 - (i) The first objective in revegetation is to stabilize the area as quickly as possible after it has been disturbed. Plants that will give a quick, protective cover and those that will enrich the soil must be given priority. Plants reestablished must be in keeping with the intended reclaimed use of the land.
 - (ii) Appropriate revegetation must be accomplished as soon after necessary grading as possible; however, revegetation must be performed in the proper season in accordance with accepted agricultural and reforestation practices.
 - (iii) In the event that any of the above revegetation efforts are unsuccessful, the permittee shall seek the advice of the department and make additional attempts, incorporating

such changes and additional procedures as may be expected to provide satisfactory revegetation;

- (f) a schedule describing the manner and deadlines for the removal of facilities including, but not limited to, the removal of buildings or related structures, or a plan meeting the requirements for alternative land use.
- (2) The department may require additional measures necessary to ensure that the disturbed area is reclaimed in accordance with the Act.

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

Implementing statute(s): 82-4-335, 82-4-336, MCA

History: NEW, 1990 MAR p. 1008, Eff. 6/1/90; TRANS, from DSL, 1996 MAR p. 2852.