



Senate Fiscal Agency
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BILL



ANALYSIS

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Senate Bill 591 (as reported without amendment)
Sponsor: Senator Tom Casperson
Committee: Natural Resources

CONTENT

The bill would add Part 634 (Small Native Copper Mines) to the Natural Resources and Environmental Protection Act to establish regulations specific to elemental copper mining operations involving the generation of 10,000 to 75,000 tons of waste rock or the disturbance of one to 10 acres of land per year. Specifically, the bill would do the following:

- Require the Department of Environmental Quality (DEQ) to administer and enforce Part 634.
- Prohibit a local unit of government from regulating or controlling mining activities subject to Part 634, but allow a local unit to enact ordinances affecting mining that reasonably accommodated customary mining activities and did not conflict with Part 634.
- Prohibit a person from engaging in mining operations except as authorized by a permit issued by the DEQ.
- Require an application for a mining permit to include an application fee of \$5,000, provisions for a conformance bond, and a mining and reclamation plan.
- Authorize the DEQ to revoke a permit if the permittee did not begin mining activities within three years after the permit was issued.
- Require an operator to pay the DEQ an annual operating fee of \$5,000 per mine, and to maintain a \$25,000 conformance bond for each mine during mining activities and until all reclamation was completed.
- Require an operator to begin final reclamation within three years after ceasing mine activities, in accordance with the approved plan.
- Create the "Small Native Copper Mine Surveillance Fund"; allocate to it all permit application fees, annual operating fees, and penalties; and require the DEQ to spend Fund money, upon appropriation, for surveillance, monitoring, administration, and enforcement under Part 634.
- Authorize the DEQ to order suspension of mining activities in the case of an emergency endangering public health and safety or an imminent threat to natural resources.

The bill also would amend Part 632 (Nonferrous Metallic Mineral Mining) to provide that a mining operation subject to Part 634 would not be subject to regulation under Part 632.

MCL 324.63201 et al.

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bill would have a likely neutral fiscal impact on the Department of Environmental Quality, and no fiscal impact on local units of government. According to the DEQ, the \$5,000 application fee for a small native copper mine permit, and the \$5,000 annual permit fee would be sufficient to cover the cost of the Department's responsibilities under the bill.

Date Completed: 12-4-15

Fiscal Analyst: Josh Sefton