**Mining Bureau - Hard Rock Mining Section**

**Application for Minor Amendment to Hard Rock Mining Operating Permit**

During the term of an operating permit issued under the Metal Mine Reclamation Act (MMRA), an operator may apply for an amendment as described in Sections 82-4-337 and 82-4-342, Montana Code Annotated (MCA). For operators that mine rock products, additional details regarding amendments are provided in 82-4-343, MCA.

The distinction between a minor amendment and major amendment is provided in the MMRA definitions, in Section 82-4-303(2), MCA: “‘Amendment’ means a change to an approved operating or reclamation plan. A major amendment is an amendment that may significantly affect the human environment. A minor amendment is an amendment that will not significantly affect the human environment.”

**Form Directions:** The permittee must include sufficient information within the minor amendment application for DEQ to assess the potential significance of the proposed activities or modifications based on Sections 82-4-342 and 82-4-343, MCA and determine whether environmental review under the Montana Environmental Policy Act (MEPA) is necessary (72-1-101, MCA, *et seq.*). The minor amendment application must include all information required by the Administrative Rules of Montana (ARM) 17.24.119(3), as outlined and cited within the format of the following pages.

1. **Please provide detailed answers on the following application form. The final submittal may include any reports, maps or figures, cover letter, or other supplemental information that may be needed to explain and support the proposed minor amendment.**
2. **Applications for proposed changes to the Construction, Operating, Reclamation, Monitoring, and/or Contingency Plans for an operating permit must include corresponding replacement pages, maps, figures, or complete copies of revised plan documents.**
3. **Please save the completed form, preferably as Adobe PDF, and submit all application materials to the following parties:**
   * **DEQ Hard Rock main account (**[**deqhardrock@mt.gov**](mailto:deqhardrock@mt.gov)**)**
   * **Millie Olsen, Section Supervisor (**[**millie.olsen@mt.gov**](mailto:millie.olsen@mt.gov)**)**
   * **Lead inspector for your operating permit (*varies*)**

**Application for Minor Amendment to Hard Rock Mining Operating Permit**

Submittal Date: Click or tap here to enter text.

Operating Permit Number: Click or tap here to enter text.

Permittee Name: Click or tap here to enter text.

Permittee Address: Click or tap here to enter text.

Minor Amendment Location (legal description or latitude/longitude): Click or tap here to enter text.

List of Application Attachments: Click or tap here to enter text.

1. **General summary explaining the minor amendment-** *ARM 17.24.119(3)(a)*

**Response-** Explain the proposed modification in sufficient detail for DEQ to determine whether further environmental analysis under Title 75, chapter 1, MCA, is required. Summarize the disturbance and permit areas. Summarize relevant plans for operation, reclamation, and/or monitoring. Identify any attachments:

Click or tap here to enter text.

1. **Replacement pages, supplemental resource data and plans, and maps to identify changes in permit boundaries, total disturbances, and approved plans-** *ARM 17.24.119(3)(b)*

**The proposed minor amendment results in modifications or updates to the following document(s):**

**Construction Plan**  Attached (Redline/tracked changes)  Attached (Clean version)

**Operating Plan**  Attached (Redline/tracked changes)  Attached (Clean version)

**Reclamation Plan**  Attached (Redline/tracked changes)  Attached (Clean version)  **Monitoring Plan**  Attached (Redline/tracked changes)  Attached (Clean version)

**Contingency Plan**  Attached (Redline/tracked changes)  Attached (Clean version)

**Maps/Figures**  Attached (Redline/tracked changes)  Attached (Clean version)

**Response to explain the selection(s)-** Based on other details provided for this minor amendment, summarize the plans, replacement pages, and/or maps and figures that are needed to reflect the details of the proposed minor amendment. Explain if attachments are included with the application or provide a deadline for submittal to DEQ:

Click or tap here to enter text.

1. **Updated or comprehensive facilities map(s) clearly indicating the proposed features and all areas subject to pre-July 1, 1974, bonding levels**- *ARM 17.24.119(3)(c) and (f)*

Updated facility map(s) attached

Pre-July 1, 1974, disturbance is shown

Pre-July 1, 1974, disturbance does not occur at the site

**Response to explain the selection(s)**:

Click or tap here to enter text.

1. **Applicant’s rationale for asserting non-significance pursuant to 82-4-342(5), MCA-** *ARM 17.24.119(3)(d)*
2. **Rock Products Operating Permit Eligibility *(82-4-303(29) and 82-4-343, MCA)*:**
3. **Does the operation produce decorative rock, building stone, riprap, mineral aggregates, and other minerals produced by typical quarrying activities or collected from or just below the ground surface, that do not contain sulfides with the potential to produce acid, toxic, or otherwise pollutive solutions?**

Yes

No (move to part D-2)

1. **Does the operation produce talc, gypsum, limestone, metalliferous ores, gemstones, or materials extracted by underground mining?**

Yes (move to part D-2)

No

1. **Does the operation of a single site or multiple sites…**

|  |  |  |  |
| --- | --- | --- | --- |
|  | Yes | No |  |
| **…cumulatively disturb a surface area more than 100 acres?** |  |  | If yes, move to part 2 |
| **…occur within 100 feet of surface water or in groundwater, or impact any wetland, surface water, or groundwater?** |  |  | If yes, move to part 2 |
| **…include any water impounding structures other than for storm water control?** |  |  | If yes, move to part 2 |
| **…adversely impact a member of, or the critical habitat of, a member of a wildlife species that is listed as threatened or endangered under the Endangered Species Act of 1973?** |  |  | If yes, move to part 2 |
| **…impact significant historic or archaeological features?** |  |  | If yes, move to part 2 |

**Response to explain the selections above:**

Click or tap here to enter text.

1. **Surface Disturbance**
2. **Does the minor amendment include changes to the permit area, disturbance area, or bonded area?**

No

Yes, see the following:

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Current (acres)** | **Proposed (acres)** | ***Change***  ***(acres)*** |
| Total Permit Area |  |  |  |
| Total Area Permitted to be Disturbed |  |  |  |
| Disturbance Area\* |  |  |  |
| Area Bonded for Disturbance |  |  |  |

*\*Proposed disturbance may be the total area permitted to be disturbed or a portion (increment) of that area*

1. **For a minor amendment to a Rock Products Operating Permit (eligibility in Part D-1 above), does the proposed modification result in the following?**

No new disturbance under the proposed modification

Less than 15 acres of total disturbance, for site(s) with no prior MEPA review

Less than 25 acres of new disturbance, for sites(s) with prior MEPA review

Date of prior MEPA review: \_\_\_\_\_\_\_\_\_\_\_

Greater disturbance area than the options above

**Response to explain the selections:**

Click or tap here to enter text.

1. **Post-Mining Facilities**- *82-4-342(2)(b), MCA*
2. **Is the minor amendment for the purpose of retaining mine-related facilities that are valuable for postmining use?**

Yes

No

1. **If “yes” above, does the minor amendment include evidence that a local government has requested retention of the mine-related facilities for a postmining use?**

Yes

No

1. **If “yes” above, does the proposed postmining use of the mine-related facilities meet the requirements provided for in 82-4-336, MCA?**

Yes

No

1. **Water Quantity and Quality**
2. **Does the minor amendment include modifications, disturbance, or activities that may influence stormwater runoff flow paths, runoff or sediment management features, and/or outfalls?**

Yes

No

**Response to explain the selection-** Details about stormwater conveyance; current and proposed management and monitoring systems; address any updates required for other water quality permits:

Click or tap here to enter text.

1. **Does the minor amendment include modifications, disturbance, or activities that may influence surface water features, groundwater, onsite water uses, storage or conveyance methods, water treatment, and/or discharge?**

Yes

No

**Response to explain the selection**- Details about nearby surface water and groundwater; current water uses, management, and/or monitoring systems; address any updates required for other water quality or use permits:

Click or tap here to enter text.

1. **Air Quality**

**Does the minor amendment include modifications, disturbance, or activities that may influence air quality from potential sources of fugitive dust, equipment, facilities, and/or other emission sources?**

Yes

No

**Response to explain the selection-** Details about dust control on disturbed areas and emission sources; management and monitoring systems; address any updates required for other air quality permits:

Click or tap here to enter text.

1. **Historical and Cultural Resources**

**Does the minor amendment include modifications, disturbance, or activities that may influence historical or cultural resources?**

Yes

No

**Response to explain the selection-** Details about potential historical or cultural resources; summary of any previous investigations or consultation with State Historic Preservation Office; plans for avoidance, mitigations, or contingencies:

Click or tap here to enter text.

1. **Identify previous environmental analyses relevant to the minor amendment-** *ARM 17.24.119(3)(e)*

**Response-** Reference the Environmental Assessment(s) or Impact Statement(s) completed for the initial permit application and/or subsequent permit amendments. Summarize how these analyses apply to the areas or plans associated with the minor amendment:

Click or tap here to enter text.

1. **Document the adequacy of existing bonding-** *82-4-338(3)(a), MCA and ARM 17.24.141*

**Current Obligated Bond Amount:** Click or tap here to enter text.

**Current Unobligated Bond Amount:** Click or tap here to enter text.

1. **Is the existing bond adequate to address the reclamation costs resulting from the proposed minor amendment?**

Yes

No

Cost Estimate Attached, Total Amount: Click or tap here to enter text.

1. **If unobligated bond is available, would you like to apply this amount to the bond increase resulting from this minor amendment?**

Yes

No

N/A

**Response to explain the selection-** Consider all aspects of reclamation methods and costs that would result from the proposed minor amendment, including: disturbance acreage; material balance for backfill, grading, and/or soil placement; decommissioning and removing equipment, facilities, and infrastructure; revegetation and weed control; current rates for equipment and personnel, etc.

Click or tap here to enter text.