

What Permit Do I Need?

Recreational Mining: *82-4-310(1), MCA; ARM 17.24.101(6).*

Recreational Miners are not regulated by the State of Montana provided the miner:

1. Does not use motorized excavating equipment
2. Does not use blasting agents
3. Does not disturb more than 100 sq. ft. of the earth's surface
4. Does not dig more than 50 cubic yards of material at any site
5. Does not leave un-reclaimed sites that are less than 1 mile apart
6. Does not use mercury
7. Does not use cyanide or other metal leaching agents

Recreational Miners may require other local, state, or federal permits.

Small Miner Exclusion Statement (SMES): *82-4-303(30) and 82-4-305, et seq., MCA; ARM 17.24.1, et seq.*

A SMES is not a permit or a license, but a written agreement attesting that the small miner will follow the conditions of the small miner exclusion statement. Rules applicable to small miners are:

1. A small miner disturbs less than 5 acres of total surface disturbance.
2. A small miner may have 2 total SMES operations that have not been reclaimed. Those operations must be over 1 mile apart at their closest points.
3. Types of SMES activities and commodities may include: open pit, decorative rock, placer, underground, etc.
4. A small miner may hold an operating permit that allows disturbance of 100 acres or less. The permit may be amended to add new disturbance areas, but the total area permitted for disturbance may not exceed 100 acres at any time
5. SMES are valid for 1 year and can be renewed annually.

SMES operations may require other local, state or federal permits.

Exploration License: *82-4-331 and 82-4-332, et seq., MCA; ARM 17.24.1, et seq.*

An exploration license is intended for exploration operations to determine the feasibility of mining.

1. License applies statewide and can include multiple sites and multiple plans of operation.
2. Often includes drill holes and associated surface disturbance, and exploration trenches, but can also include underground tunnels, adits, and declines.
3. No more than 10,000 short tons of material may be taken for testing from each site under an exploration license.
4. All activity must be bonded, and an environmental review must be conducted for each plan of operation.

Exploration Licenses may require other local, state or federal permits.

Operating Permits: *82-4-335, et seq., MCA; ARM 17.24.1 et seq.*

1. Mining operations generally with greater than 5 acres of total surface disturbance, including quarries, roads, processing areas, loadouts, etc...
2. Can cover a single location or multiple quarries
3. All activity must be bonded, and an environmental review must be conducted

Operating Permit will likely require other local, state or federal permits.