## DECLINE PUBLIC MEETING

The Operator preparing an application for an Opencut mining permit, or an amendment increasing the permitted acreage by 50% or more, has the option of submitting documentation that a public meeting will not be required (82-4-432(7), MCA). To pursue this option, the Operator must:

1. Identify all occupied dwelling units within ½-mile of the proposed permit boundary (82-4-432(6 & 14), MCA).
2. Contact owners of occupied dwelling units to explain the proposed operation and obtain a sufficient number of signed forms.
3. Send the forms to the DEQ Opencut Mining Program in Helena as a single submittal with the application.

The DEQ will review the forms relative to: 1) the Operator’s Standard Permit Operator Certification Form (82-4-432(2)(f), MCA); and 2) the statutory public meeting criteria (82-4-432(9), MCA). If the documentation confirms a public meeting will not be required, the DEQ will notify the Operator whether its application is “acceptable” within 30 days of the DEQ’s notice to the Operator of a “complete” application, rather than 45 days as would otherwise be the case (82-4-432(7), MCA).

**OPERATOR SECTION: All fields must be completed**.

**Operator**:

**Mailing Address**:

**City**:  **State**  **Zip**

**Email**:

**Phone**: () -

Operator is applying for: **[ ]  Permit** *or* **[ ]**  **Amendment** (check one). If Amendment, the existing permit # is:

**Site**:  **County**:

**Landowner**:  **Landowner Phone**: () -

OCCUPIED DWELLING UNIT SECTION - Please note the following:

1. The **Operator** is the sole source of information regarding its proposed Opencut operation.
2. After the DEQ determines an application is “complete” it will be available at: <https://deq.mt.gov/mining/Programs/opencut>.
3. Even if you sign this form, the Operator is still required to mail you public notice information that will include a *Request for Public Meeting* form (82-4-432(5), MCA).
4. When determining the number of occupied dwelling units eligible to request a public meeting:
	1. 51% of real property owners on which occupied dwelling units exist, or 10 real property owners on which occupied dwelling units exist, whichever is greater MCA 82-4-432(9)(a)(ii)
	2. Multiple owners of the same occupied dwelling unit are to be counted as a single real property owner.

If you do **not** want the DEQ to conduct a public meeting regarding the proposed Opencut mining application, complete the following and return the signed original to the **Operator**.

**Landowner**: Name (print or type) **Signature**

**Address** **City, State, Zip**

**Date** **Phone Number** **Email**

**For DEQ use only**:

The landowner is on the list provided with the application pursuant to MCA 82-4-432[2](f). **[ ]** YES **[ ]** NO

 Initials \_\_\_\_\_ Date \_\_\_\_\_