Public Notice and Public Meeting Requirements
05/26/2021

MCA 82-4-432(5&6) requires that within 15 days after the Department sends a complete letter to the applicant, the applicant shall:
- Send public notice to county commissioners and to surface landowners located within one-half mile of the proposed permit boundary.
- Publish the notice twice in a newspaper of general circulation in the locality of the proposed opencut operation.
- Post the notice in at least two prominent locations at the site of the proposed opencut operation.
- Provide the department with the names and addresses of those notified pursuant to subsection (6)(b).

STANDARD PERMIT

Are there 10 or more Occupied Dwelling Units within ½ mile of the Proposed Permit Boundary?
MCA 82-4-403 defines "Occupied dwelling unit" as a structure with permanent water and sewer facilities that is used as a home, residence, or sleeping place by at least one person who maintains a household that is lived in as a primary residence.

No

Fewer than 10 Occupied Dwelling Units

RURAL PERMIT
No Chance for a Public Meeting

Did the applicant request a public meeting?

No

Hold Public Meeting

Did 51% of real property owners on which occupied dwelling units exist or which occupied dwelling units exists, whichever is greater, request a public meeting?

No Public meeting held

Yes

Yes

Yes

MCA 82-4-432(14)(a)(x) requires certification from the operator that public notice was:
- Mailed to surface landowners of land located within one-half mile of the proposed permit boundary prior to submitting the Rural Opencut Mining Permit Application.
- Published twice in a newspaper of general circulation in the locality of the proposed opencut operation.
- Posted in at least two prominent locations at the site of the proposed opencut operation.

Note: Operator may choose to follow public notice requirements for the Standard Permit.