

6130.0300 SCOPE.

Subpart 1. **Persons currently engaged in metallic mining.** Any person engaged in metallic mining shall apply for a mining permit or a scam mining permit within 180 days of August 25, 1980.

Subp. 2. **Permits before commencement of operations.** Any person hereafter intending to conduct a new mining operation or reactivate an inactive mining operation shall obtain a mining permit or a scam mining permit prior to commencing operations.

Subp. 3. **Term of mining permit.** The term of a mining permit shall be the period determined necessary by the commissioner for the completion of the proposed mining operation, based on information provided pursuant to part 6130.4300.

Subp. 4. **Term of scam mining permit.** The term of a scam mining permit shall not exceed five years.

Subp. 5. **Iron as predominant extract in mining operations.** These parts apply to metallic mining operations from which iron is the predominant metal extracted:

A. all portions of any mining operation initiated hereafter, including both new operations and reactivated inactive operations; and

B. the following portions of existing mining operations:

(1) any portion of such operation which is hereafter created or used, provided that the siting requirements shall not apply to that portion already constructed;

(2) all of any existing tailings basin, settling pond or water reservoir (including dams, dikes, deltas, beaches, seepage control structures, and water control devices) where any portion thereof is hereafter used for the deposition of tailings or sediment or for water storage; provided that the siting requirements shall not apply; and

(3) all existing permittee owned power plants and associated facilities, transmission lines, pipelines, docks and associated facilities, and railroads shall comply only with the deactivation, reporting, and procedural requirements of parts 6130.4100, 6130.4200 to 6130.4700, and 6130.5400.

Subp. 6. **Waiver.** When part of any mining area is included in the mining and reclamation plans of two or more persons who are not copermitees, that portion of the reclamation requirements which is the responsibility of the persons who first performs the mining may be waived by the commissioner provided:

A. subsequent disturbance by another operator is scheduled, according to such operator's permit to mine;

B. the operator who will perform subsequent mining presents plans, and accepts responsibility for the performance of any necessary reclamation which may be incurred as a result of the previous mining operation; and

C. no significant environmental damage is likely to occur as a result of the waiver.

Subp. 7. **Effect on other rules, statutes, or ordinances.** Nothing in these parts waives the requirements of any other applicable rules of the Department of Natural Resources or any other agency or governmental unit or of any other applicable statute or ordinance.

Subp. 8. **Conflict in rules.** Where these parts conflict with other applicable statutes, rules, and ordinances, the most restrictive provision shall apply.

Subp. 9. **Other rights.** Subject to Minnesota Statutes, section 93.47, subdivision 3, these parts shall be subject to any rights existing pursuant to any permit, license, lease, or other valid existing authorization issued by the commissioner, the Minnesota Pollution Control Agency, or any other governmental entity or their predecessors office.

Statutory Authority: *MS s 93.47*

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