

6132.2200 REACTIVE MINE WASTE.

Subpart 1. **Goals.** Reactive mine waste shall be mined, disposed of, and reclaimed to prevent the release of substances that result in the adverse impacts on natural resources.

Subp. 2. **Requirements.** A mining operation must meet the requirements in items A to D.

A. Chemical and physical characterization of mine waste must be conducted before the submission of an application for a permit to mine and continuously after that during the process of mining under part 6132.1000.

B. A reactive mine waste storage facility must be designed by professional engineers registered in Minnesota proficient in the design, construction, operation, and reclamation of facilities for the storage of reactive mine waste, to either:

(1) modify the physical or chemical characteristics of the mine waste, or store it in an environment, such that the waste is no longer reactive; or

(2) during construction to the extent practicable, and at closure, permanently prevent substantially all water from moving through or over the mine waste and provide for the collection and disposal of any remaining residual waters that drain from the mine waste in compliance with federal and state standards.

C. The reactive mine waste storage facility design shall:

(1) describe all materials, construction, and operating performance specifications and limitations that must be maintained to ensure protection of natural resources;

(2) identify monitoring locations to ensure compliance with the design; and

(3) include a schedule for inspection of the reactive mine waste storage facility construction, operation, and reclamation including closure and postclosure maintenance, by the design engineers, to ensure compliance with the design. In the event the design engineers become unable to perform the inspections, the engineers shall be replaced by persons who meet the qualifications of part 6132.2200, subpart 2, item B, and that can demonstrate an understanding of the design and an ability to perform the necessary inspections.

D. The commissioner may allow variance from specific reclamation requirements of parts 6132.2100 and 6132.2300 to 6132.2700 if their use would inhibit designs necessary to meet the requirements of this part.

Statutory Authority: *MS s 93.44 to 93.51; 103G.222*

History: *17 SR 2207*

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