

## HOUSE BILL NO. HB0059

Limited mining operations-water quality testing.

Sponsored by: Representative(s) Harshman, Campbell, E and  
Larson, JT and Senator(s) Anderson, Boner  
and Rothfuss

A BILL

for

1 AN ACT relating to environmental quality; specifying that  
2 the department of environmental quality may conduct water  
3 quality testing before the commencement of limited mining  
4 operations; amending notice requirements for limited mining  
5 operations; requiring rulemaking; and providing for an  
6 effective date.

7

8 *Be It Enacted by the Legislature of the State of Wyoming:*

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10 **Section 1.** W.S. 35-11-401(e)(vi)(intro) and by  
11 creating a new subparagraph (H) is amended to read:

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13 **35-11-401. Compliance generally; exceptions.**

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1           (e) The provisions of this article shall not apply to  
2 any of the following activities:

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4           (vi) Limited mining operations, whether  
5 commercial or noncommercial, for the removal of sand,  
6 gravel, scoria, limestone, dolomite, shale, ballast or  
7 feldspar from an area of fifteen (15) acres or less of  
8 affected land, excluding roads used to access the mining  
9 operation, if the operator has written permission for the  
10 operation from the owner and lessee, if any, of the  
11 surface. The operator shall notify the land quality  
12 division and the water quality division of the department  
13 of environmental quality and the inspector of mines within  
14 the department of workforce services of the location of the  
15 land to be mined and the postal address of the operator at  
16 least thirty (30) days before commencing operations. A copy  
17 of the notice shall also be mailed to all surface owners  
18 located within one (1) mile of the proposed boundary of the  
19 limited mining operation at least thirty (30) days before  
20 commencing operations. The operator shall notify the land  
21 quality division of the department of environmental quality  
22 of the date of commencement of limited mining operations  
23 within thirty (30) days of commencing operations. Limited

1 mining operations authorized under this paragraph are  
2 subject to the following:

3  
4 (H) The department may require water  
5 quality testing before the operator commences limited  
6 mining operations if the department determines or has  
7 reason to believe that any domestic or drinking water  
8 source may be impacted by the limited mining operations.  
9 The administrator may require the operator to delay the  
10 commencement of the limited mining operations for a  
11 reasonable time in order to complete any water quality  
12 testing required under this subparagraph.

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14 **Section 2.** The environmental quality council, upon  
15 recommendation by the department of environmental quality,  
16 shall promulgate all rules necessary to implement this act.

17  
18 **Section 3.** This act is effective immediately upon  
19 completion of all acts necessary for a bill to become law  
20 as provided by Article 4, Section 8 of the Wyoming  
21 Constitution.

22

23

(END)