

AN ACT

ENTITLED, An Act to revise certain reclamation surety requirements regarding uranium exploration and to authorize the Board of Minerals and Environment to adopt rules for the construction, operation, monitoring, and closure of uranium and other in situ leach mines.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 45-6D-19 be amended to read as follows:

45-6D-19. Prior to the issuance of a uranium exploration operation permit or renewal of a uranium exploration operation permit the Board of Minerals and Environment shall cause an inspection to be made of the area proposed to be explored. Based upon this inspection, the criteria established in § 45-6D-20, and the submitted reclamation plan, the board shall set the level of the surety necessary to guarantee the costs of plugging all of the proposed test holes and reclamation of affected public and private lands. The surety shall be filed or deposited with the board before the issuance of the uranium exploration operation permit in such form as required by the board.

Section 2. That § 45-6D-25 be amended to read as follows:

45-6D-25. The penalty of the required surety shall be in an amount sufficient to cover the cost of plugging all of the proposed test holes and reclamation as determined pursuant to § 45-6D-19.

Section 3. That § 45-6B-81 be amended to read as follows:

45-6B-81. The board may promulgate rules, pursuant to chapter 1-26, consistent with the provisions of this chapter, to provide for:

- (1) The procedure for filing and departmental review of mining permit applications;
- (2) The procedure for amending mining permits;
- (3) The procedure for transfer of permits;
- (4) The reclamation of mills proposed to be operated in conjunction with a mining operation;
- (5) The prehearing procedure for determining the type of reclamation to be performed on

affected land;

- (6) The minimum requirements for each type of reclamation;
- (7) The reclamation activities required to be performed concurrent with mining activity;
- (8) The procedure to be followed to address reclamation before or during a temporary cessation of mining activity pursuant to subdivision 45-6B-3(6);
- (9) The procedure for determining special, exceptional, critical, or unique land in accordance with § 45-6B-33; and
- (10) The requirements for construction, operation, monitoring, and closure of uranium and other mineral mines using in situ leach processes.

An Act to revise certain reclamation surety requirements regarding uranium exploration and to authorize the Board of Minerals and Environment to adopt rules for the construction, operation, monitoring, and closure of uranium and other in situ leach mines.

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I certify that the attached Act originated in the

SENATE as Bill No. 62

Secretary of the Senate

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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 62
File No. _____
Chapter No. _____

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Received at this Executive Office this ____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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The attached Act is hereby approved this _____ day of _____ , A.D., 20__

Governor

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STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____ , 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State