

State of South Dakota

EIGHTY-FIRST SESSION
LEGISLATIVE ASSEMBLY, 2006

400M0397

SENATE BILL NO. 62

Introduced by: Senator Duenwald and Representative Deadrick

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

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

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

7 45-6D-19. Prior to the issuance of a uranium exploration operation permit or renewal of a
8 uranium exploration operation permit the Board of Minerals and Environment shall cause an
9 inspection to be made of the area proposed to be explored. Based upon this inspection, the
10 criteria established in § 45-6D-20, and the submitted reclamation plan, the board shall set the
11 level of the surety necessary to guarantee the costs of plugging ~~ten percent~~ all of the proposed
12 test holes and reclamation of affected public and private lands. The surety shall be filed or
13 deposited with the board before the issuance of the uranium exploration operation permit in
14 such form as required by the board. ~~In lieu of filing or depositing a surety for each exploration~~
15 ~~operation, the operator may post a twenty thousand dollar surety for statewide exploring. If a~~
16 ~~statewide surety is posted, the person posting the surety must otherwise comply with the~~



1 ~~provisions of this chapter for every area to be explored.~~

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

3 45-6D-25. The penalty of the required surety shall be in an amount sufficient to cover the
4 cost of plugging ~~ten percent~~ all of the proposed test holes and reclamation as determined
5 pursuant to § 45-6D-19.

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

7 45-6B-81. The board may promulgate rules, pursuant to chapter 1-26, consistent with the
8 provisions of this chapter, to provide for:

- 9 (1) The procedure for filing and departmental review of mining permit applications;
- 10 (2) The procedure for amending mining permits;
- 11 (3) The procedure for transfer of permits;
- 12 (4) The reclamation of mills proposed to be operated in conjunction with a mining
13 operation;
- 14 (5) The prehearing procedure for determining the type of reclamation to be performed
15 on affected land;
- 16 (6) The minimum requirements for each type of reclamation;
- 17 (7) The reclamation activities required to be performed concurrent with mining activity;
- 18 (8) The procedure to be followed to address reclamation before or during a temporary
19 cessation of mining activity pursuant to subdivision 45-6B-3(6); ~~and~~
- 20 (9) The procedure for determining special, exceptional, critical, or unique land in
21 accordance with § 45-6B-33; and
- 22 (10) The requirements for construction, operation, monitoring, and closure of uranium and
23 other mineral mines using in situ leach processes.