

Legislative Analysis



NONFERROUS METALLIC MINERAL MINING RULES

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House Bill 5427

Sponsor: Rep. Tom Casperson

Committee: Conservation, Forestry, and Outdoor Recreation

Complete to 11-30-05

A SUMMARY OF HOUSE BILL 5427 AS INTRODUCED 11-10-05

House Bill 5427 would amend the Natural Resources and Environmental Protection Act to extend the rule promulgation deadline for rules regarding mineral mining from December 31, 2005 to January 31, 2006.

Currently under the law, the Department of Environmental Quality administers and enforces the part of the Natural Resources and Environmental Protection Act concerning nonferrous metallic mineral mining. The law specifies that the department can set standards for construction, operation, closure, post-closure monitoring, reclamation, and remediation of a nonferrous metallic mineral mine, and promulgate rules to do so until December 31, 2005. House Bill 5427 would retain the provisions that establish the regulatory responsibilities of the department, but extend the time during which rules can be promulgated by one month, to January 31, 2006.

In a section of the law called legislative findings (324.63202), it specifies that discoveries of nonferrous metallic sulfide deposits have resulted in intensive exploration activity and may lead to the development of one or more mines. It goes on to say that nonferrous metallic sulfide deposits are different from the iron oxide ore deposits currently being mined in Michigan, in that the sulfide minerals may react, when exposed to air and water, to form acid rock drainage. If the mineral products and waste materials associated with nonferrous metallic sulfide mining operations are not properly managed and controlled, they can cause significant damage to the environment, impact human health, and degrade the quality of life of the impacted community. The special concerns surrounding nonferrous metallic mineral mining warrant additional regulatory measures beyond those applied to the current iron mining operations. Nonferrous metallic mineral mining may be an important contributor to Michigan's economic vitality. The economic benefits of nonferrous metallic mineral mining shall occur only under conditions that assure that the environment, natural resources, and public health and welfare are adequately protected.

FISCAL IMPACT:

The bill would have no apparent fiscal impact on the state or local units of government.

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