

Senate Bill 278

In The Senate

January 26, 1981	Introduced and referred to Committee on Natural Resources.
February 7, 1981	Committee recommend bill do pass.
February 9, 1981	Bill printed and placed on members' desks.
February 10, 1981	Second reading do pass.
February 11, 1981	Correctly engrossed.
February 12, 1981	Third reading passed.

In The House

February 13, 1981	Introduced and referred to Committee on Natural Resources.
March 14, 1981	Committee recommend bill concurred.
March 20, 1981	Second reading pass consideration.
March 21, 1981	Second reading pass consideration to the 66th legislative day.
March 23, 1981	Second reading not concurred.

In The Senate

March 24, 1981	Returned from House not concurred. On motion request of House granted for return of Senate Bill No.278 for futher consideration.
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In The House

March 24, 1981	On motion House reconsider its action taken on second reading. Motion adopted. On motion House requests return of Senate Bill 278 from Senate for futher consideration. Motion adopted.
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March 25, 1981 Returned from Senate on
motion on second reading.

Second reading concurred
as amended.

March 27, 1981 Third reading concurred
as amended.

In The Senate

March 30, 1981 Returned from House
concurred as amended.

April 2, 1981 Second reading amendment
concurred.

April 4, 1981 Third reading amendment
concurred.

Sent to enrolling.

April 8, 1981 On motion taken from
Committee on Bills and
Journal and referred
to Committee on Rules.
Motion adopted.

April 23, 1981 Died in Committee.

SENATE BILL NO. 278

INTRODUCED BY GRAHAM

IN THE SENATE

January 26, 1981	Introduced and referred to Committee on Natural Resources.
February 7, 1981	Committee recommend bill do pass. Report adopted.
February 9, 1981	Bill printed and placed on members' desks.
February 10, 1981	Second reading, do pass.
February 11, 1981	Correctly engrossed.
February 12, 1981	Third reading, passed. Ayes, 32; Noes, 17. Transmitted to House.

IN THE HOUSE

February 13, 1981	Introduced and referred to Committee on Natural Resources.
March 14, 1981	Committee recommend bill be concurred in. Report adopted.
March 20, 1981	Second reading, pass consideration.
March 21, 1981	Second reading, pass consideration to the 64th legislative day.
March 23, 1981	Second reading, not concurred in.

IN THE SENATE

March 24, 1981

Returned from House. Not concurred in.

IN THE HOUSE

March 24, 1981

On motion House reconsider its action taken on second reading. Motion adopted.

On motion, House requests return of Senate Bill No. 278 from Senate for further consideration. Motion adopted.

IN THE SENATE

March 24, 1981

On motion, request of House granted for return of Senate Bill No. 278 for further consideration.

IN THE HOUSE

March 25, 1981

Returned from Senate. On motion placed on second reading. Motion adopted.

Second reading, concurred in as amended.

March 27, 1981

Third reading, concurred in as amended. Ayes, 49; Noes, 42.

IN THE SENATE

March 30, 1981

Returned from House with amendments.

April 2, 1981

Second reading, amendments concurred in.

April 4, 1981

Third reading, amendments
concurrent in. Ayes, 39;
Noes, 8. Sent to enrolling.

Reported correctly enrolled.

1 *Smith* BILL NO. *278*
 2 INTRODUCED BY *Smith*

3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REMOVE THE
 5 PROHIBITION AGAINST GRANTING A MINING PERMIT BECAUSE OF
 6 ECOLOGICAL FRAGILITY OF THE AREA TO BE MINED; AMENDING
 7 SECTION 82-4-227, MCA."

8
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 82-4-227, MCA, is amended to read:

11 "82-4-227. Refusal of permit. (1) An application for a
 12 prospecting, strip-mining, or underground-mining permit or
 13 major revision shall not be approved by the department
 14 unless, on the basis of the information set forth in the
 15 application, an on-site inspection, and an evaluation of the
 16 operation by the department, the applicant has affirmatively
 17 demonstrated that the requirements of this part and rules
 18 will be observed and that the proposed method of operation,
 19 backfilling, grading, subsidence stabilization, water
 20 control, highwall reduction, topsoiling, revegetation, or
 21 reclamation of the affected area can be carried out
 22 consistently with the purpose of this part. The applicant
 23 for a permit or major revision has the burden of
 24 establishing that his application is in compliance with this
 25 part and the rules adopted under it.

1 (2) The department shall not approve the application
 2 for a prospecting, strip-mining, or underground-mining
 3 permit where the area of land described in the application
 4 includes land having special, exceptional, critical, or
 5 unique characteristics or that mining or prospecting on that
 6 area would adversely affect the use, enjoyment, or
 7 fundamental character of neighboring land having special,
 8 exceptional, critical, or unique characteristics. For the
 9 purposes of this part, land is defined as having such
 10 characteristics if it possesses special, exceptional,
 11 critical, or unique:

12 (a) biological productivity, the loss of which would
 13 jeopardize certain species of wildlife or domestic stock;

14 ~~(b) ecological fragility, in the sense that the land,~~
 15 ~~once adversely affected, could not return to its former~~
 16 ~~ecological role in the reasonable foreseeable future;~~

17 ~~(c)~~(b) ecological importance, in the sense that the
 18 particular land has such a strong influence on the total
 19 ecosystem of which it is a part that even temporary effects
 20 felt by it could precipitate a system-wide reaction of
 21 unpredictable scope or dimensions; or

22 ~~(d)~~(c) scenic, historic, archeologic, topographic,
 23 geologic, ethnologic, scientific, cultural, or recreational
 24 significance. (In applying this subsection, particular
 25 attention should be paid to the inadequate preservation

1 previously accorded Plains Indian history and culture.)

2 (3) The department may not approve an application for
3 a strip- or underground-coal-mining permit or major revision
4 unless the application affirmatively demonstrates that:

5 (a) the assessment of the probable cumulative impact
6 of all anticipated mining in the area on the hydrologic
7 balance has been made by the department and the proposed
8 operation thereof has been designed to prevent material
9 damage to the hydrologic balance outside the permit area;
10 and

11 (b) the proposed strip- or underground-coal-mining
12 operation would not:

13 (i) interrupt, discontinue, or preclude farming on
14 alluvial valley floors that are irrigated or naturally
15 subirrigated, excluding undeveloped rangelands that are not
16 significant to farming on alluvial valley floors and those
17 lands as to which the regulatory authority finds that if the
18 farming that will be interrupted, discontinued, or precluded
19 is of such small acreage as to be of negligible impact on
20 the farm's agricultural production; or

21 (ii) materially damage the quantity or quality of water
22 in surface-water or underground-water systems that supply
23 these valley floors in subsection (3)(b)(i).

24 (4) Subsection (3)(b) does not affect those strip- or
25 underground-coal-mining operations that in the year

1 preceding the enactment of Public Law 95-87 produced coal in
2 commercial quantities and were located within or adjacent to
3 alluvial valley floors or had obtained specific permit
4 approval by the department to conduct strip- or
5 underground-coal-mining operations within alluvial valley
6 floors. If coal deposits are precluded from being mined
7 under this subsection, the commissioner shall certify to the
8 secretary of interior that the mineral owner or lessee may
9 be eligible for participation in coal exchange programs
10 pursuant to section 510(5) of Public Law 95-87.

11 (5) If the area proposed to be mined contains prime
12 farmland, the department may not grant a permit to mine coal
13 on the prime farmland unless it finds in writing that the
14 applicant has the technological capability to restore the
15 mined area, within a reasonable time, to equivalent or
16 higher levels of yield as nonmined prime farmland in the
17 surrounding area under equivalent levels of management and
18 can meet the soil reconstruction standards of 82-4-232(3).
19 Nothing in this subsection applies to any permit issued
20 prior to August 3, 1977, or to any revisions or renewals
21 thereof, or to any existing strip- or underground-mining
22 operations for which a permit was issued prior to August 3,
23 1977.

24 (6) If the department finds that the overburden on any
25 part of the area of land described in the application for a

1 prospecting, strip-mining, or underground-mining permit is
 2 such that experience in the state with a similar type of
 3 operation upon land with similar overburden shows that
 4 substantial deposition of sediment in streambeds,
 5 subsidence, landslides, or water pollution cannot feasibly
 6 be prevented, the department shall delete that part of the
 7 land described in the application upon which the overburden
 8 exists. The burden is on the applicant to demonstrate that
 9 any area should not be deleted under this subsection.

10 (7) If the department finds that the operation will
 11 constitute a hazard to a dwelling house, public building,
 12 school, church, cemetery, commercial or institutional
 13 building, public road, stream, lake, or other public
 14 property, the department shall delete those areas from the
 15 prospecting, strip-mining, or underground-mining permit
 16 application before it can be approved. In no case may strip-
 17 or underground-coal-mining be allowed within 300 feet of any
 18 occupied dwelling, unless waived by the owner, nor within
 19 300 feet of any public building, school, church, community,
 20 or institutional building, or public park; nor within 100
 21 feet of a cemetery; nor within 100 feet of the outside
 22 right-of-way line of any public road, except where mine
 23 access roads or haulage roads join such right-of-way line.
 24 The department may permit such roads to be relocated or the
 25 area affected to lie within 100 feet of the road if, after

1 public notice and opportunity for public hearing in the
 2 locality, a written finding is made that the interests of
 3 the public and the landowners affected will be protected.

4 (8) No strip- or underground-mining may be conducted
 5 within 500 feet of active or abandoned underground mines in
 6 order to prevent breakthroughs and to protect health or
 7 safety of miners. The department shall permit an operator to
 8 mine near, through, or partially through an abandoned
 9 underground mine or closer to an active underground mine if:

10 (a) the nature, timing, and sequencing of specific
 11 strip-mine activities and specific underground-mine
 12 activities are jointly approved by the department and the
 13 regulatory authority concerned with the health and safety of
 14 underground miners; and

15 (b) such operations will result in improved resource
 16 recovery, abatement of water pollution, or elimination of
 17 hazards to the health and safety of the public.

18 (9) The department may not approve an application for
 19 a strip- or underground-coal-mining operation if the area
 20 proposed to be mined is included within an area designated
 21 unsuitable for strip or underground coal mining or within an
 22 area under review for this designation under an
 23 administrative proceeding, unless in such an area as to
 24 which an administrative proceeding has commenced pursuant to
 25 this part, the operator making the permit application

1 demonstrates that prior to January 1, 1977, he made
2 substantial legal and financial commitments in relation to
3 the operation for which he is applying for a permit.

4 (10) No permit or major permit revision for a strip- or
5 underground-coal-mining operation may be issued unless the
6 applicant has affirmatively demonstrated by its coal
7 conservation plan that no failure to conserve coal will
8 occur. The department may require the applicant to submit
9 any information it considers necessary for review of the
10 coal conservation plan.

11 (11) Whenever information available to the department
12 indicates that any strip- or underground-coal-mining
13 operation owned or controlled by the applicant is currently
14 in violation of Public Law 95-87, as amended, or any state
15 law required by Public Law 95-87, as amended, or any law,
16 rule, or regulation of the United States or of any
17 department or agency in the United States pertaining to air
18 or water environmental protection, the department shall not
19 issue a strip- or underground-coal-mining permit or major
20 revision until the applicant submits proof that the
21 violation has been corrected or is in the process of being
22 corrected to the satisfaction of the administering agency.

23 (12) The department may not issue a strip- or
24 underground-coal-mining permit or major revision to any
25 applicant which it finds, after an opportunity for hearing,

1 owns or controls any strip- or underground-coal-mining
2 operation which has demonstrated a pattern of willful
3 violations of Public Law 95-87, as amended, or any state law
4 required by Public Law 95-87, as amended, of such a nature
5 and duration and with such resulting irreparable damage to
6 the environment to indicate an intent not to comply with the
7 provisions of this part.

8 (13) Subject to valid existing rights, no strip- or
9 underground-coal-mining operations except those which
10 existed as of August 3, 1977, may be conducted on private
11 lands within the boundaries of units of the national park
12 system, the national wildlife refuge systems, the national
13 wilderness preservation system, the wild and scenic rivers
14 system, including study rivers designated under section 5(a)
15 of the Wild and Scenic Rivers Act, or national recreation
16 areas designated by act of congress."

-End-

Approved by Committee
on Natural Resources

1 *Smith* BILL NO. *278*
2 INTRODUCED BY *Shubert*

3
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5 PROHIBITION AGAINST GRANTING A MINING PERMIT BECAUSE OF
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18 will be observed and that the proposed method of operation,
19 backfilling, grading, subsidence stabilization, water
20 control, highwall reduction, topsoiling, revegetation, or
21 reclamation of the affected area can be carried out
22 consistently with the purpose of this part. The applicant
23 for a permit or major revision has the burden of
24 establishing that his application is in compliance with this
25 part and the rules adopted under it.

1 (2) The department shall not approve the application
2 for a prospecting, strip-mining, or underground-mining
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5 unique characteristics or that mining or prospecting on that
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6 of all anticipated mining in the area on the hydrologic
7 balance has been made by the department and the proposed
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14 alluvial valley floors that are irrigated or naturally
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21 (ii) materially damage the quantity or quality of water
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14 system, including study rivers designated under section 5(a)
15 of the Wild and Scenic Rivers Act, or national recreation
16 areas designated by act of congress."

-End-

Smith BILL NO. *278*

INTRODUCED BY *Stratton*

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 25 this part, the operator making the permit application

1 demonstrates that prior to January 1, 1977, he made
 2 substantial legal and financial commitments in relation to
 3 the operation for which he is applying for a permit.

4 (10) No permit or major permit revision for a strip- or
 5 underground-coal-mining operation may be issued unless the
 6 applicant has affirmatively demonstrated by its coal
 7 conservation plan that no failure to conserve coal will
 8 occur. The department may require the applicant to submit
 9 any information it considers necessary for review of the
 10 coal conservation plan.

11 (11) Whenever information available to the department
 12 indicates that any strip- or underground-coal-mining
 13 operation owned or controlled by the applicant is currently
 14 in violation of Public Law 95-87, as amended, or any state
 15 law required by Public Law 95-87, as amended, or any law,
 16 rule, or regulation of the United States or of any
 17 department or agency in the United States pertaining to air
 18 or water environmental protection, the department shall not
 19 issue a strip- or underground-coal-mining permit or major
 20 revision until the applicant submits proof that the
 21 violation has been corrected or is in the process of being
 22 corrected to the satisfaction of the administering agency.

23 (12) The department may not issue a strip- or
 24 underground-coal-mining permit or major revision to any
 25 applicant which it finds, after an opportunity for hearing,

1 owns or controls any strip- or underground-coal-mining
 2 operation which has demonstrated a pattern of willful
 3 violations of Public Law 95-87, as amended, or any state law
 4 required by Public Law 95-87, as amended, of such a nature
 5 and duration and with such resulting irreparable damage to
 6 the environment to indicate an intent not to comply with the
 7 provisions of this part.

8 (13) Subject to valid existing rights, no strip- or
 9 underground-coal-mining operations except those which
 10 existed as of August 3, 1977, may be conducted on private
 11 lands within the boundaries of units of the national park
 12 system, the national wildlife refuge systems, the national
 13 wilderness preservation system, the wild and scenic rivers
 14 system, including study rivers designated under section 5(a)
 15 of the Wild and Scenic Rivers Act, or national recreation
 16 areas designated by act of congress."

-End-

1 SENATE BILL NO. 278

2 INTRODUCED BY GRAHAM

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REMOVE THE
5 PROHIBITION AGAINST GRANTING A MINING PERMIT BECAUSE OF
6 ECOLOGICAL FRAGILITY OF THE AREA TO BE MINED; AMENDING
7 SECTION 82-4-227, MCA."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 82-4-227, MCA, is amended to read:

11 "82-4-227. Refusal of permit. (1) An application for a
12 prospecting, strip-mining, or underground-mining permit or
13 major revision shall not be approved by the department
14 unless, on the basis of the information set forth in the
15 application, an on-site inspection, and an evaluation of the
16 operation by the department, the applicant has affirmatively
17 demonstrated that the requirements of this part and rules
18 will be observed and that the proposed method of operation,
19 backfilling, grading, subsidence stabilization, water
20 control, highwall reduction, topsoiling, revegetation, or
21 reclamation of the affected area can be carried out
22 consistently with the purpose of this part. The applicant
23 for a permit or major revision has the burden of
24 establishing that his application is in compliance with this
25 part and the rules adopted under it.

1 (2) The department shall not approve the application
2 for a prospecting, strip-mining, or underground-mining
3 permit where the area of land described in the application
4 includes land having special, exceptional, critical, or
5 unique characteristics or that mining or prospecting on that
6 area would adversely affect the use, enjoyment, or
7 fundamental character of neighboring land having special,
8 exceptional, critical, or unique characteristics. For the
9 purposes of this part, land is defined as having such
10 characteristics if it possesses special, exceptional,
11 critical, or unique:

12 (a) biological productivity, the loss of which would
13 jeopardize certain species of wildlife or domestic stock;

14 ~~(b) ecological fragility, in the sense that the land~~
15 ~~once adversely affected, could not return to its former~~
16 ~~ecological role in the reasonable foreseeable future;~~

17 (B) ECOLOGICAL FRAGILITY IN THE SENSE THAT THE
18 HYDROLOGIC SYSTEM ASSOCIATED WITH THE LAND ONCE AFFECTED
19 WOULD HAVE A SIGNIFICANT ADVERSE IMPACT TO A SIGNIFICANT
20 NUMBER OF THE MEMBERS OF SPECIES OF WILDLIFE OR DOMESTIC
21 STOCK.

22 ~~(c)}~~(C) ecological importance, in the sense that the
23 particular land has such a strong influence on the total
24 ecosystem of which it is a part that even temporary effects
25 felt by it could precipitate a system-wide reaction of

1 unpredictable scope or dimensions; or
 2 ~~fd)et(0)~~ scenic, historic, archeologic, topographic,
 3 geologic, ethnologic, scientific, cultural, or recreational
 4 significance. (In applying this subsection, particular
 5 attention should be paid to the inadequate preservation
 6 previously accorded Plains Indian history and culture.)

7 (3) The department may not approve an application for
 8 a strip- or underground-coal-mining permit or major revision
 9 unless the application affirmatively demonstrates that:

10 (a) the assessment of the probable cumulative impact
 11 of all anticipated mining in the area on the hydrologic
 12 balance has been made by the department and the proposed
 13 operation thereof has been designed to prevent material
 14 damage to the hydrologic balance outside the permit area;
 15 and

16 (b) the proposed strip- or underground-coal-mining
 17 operation would not:

18 (i) interrupt, discontinue, or preclude farming on
 19 alluvial valley floors that are irrigated or naturally
 20 subirrigated, excluding undeveloped rangelands that are not
 21 significant to farming on alluvial valley floors and those
 22 lands as to which the regulatory authority finds that if the
 23 farming that will be interrupted, discontinued, or precluded
 24 is of such small acreage as to be of negligible impact on
 25 the farm's agricultural production; or

1 (ii) materially damage the quantity or quality of water
 2 in surface-water or underground-water systems that supply
 3 these valley floors in subsection (3)(b)(i).

4 (4) Subsection (3)(b) does not affect those strip- or
 5 underground-coal-mining operations that in the year
 6 preceding the enactment of Public Law 95-87 produced coal in
 7 commercial quantities and were located within or adjacent to
 8 alluvial valley floors or had obtained specific permit
 9 approval by the department to conduct strip- or
 10 underground-coal-mining operations within alluvial valley
 11 floors. If coal deposits are precluded from being mined
 12 under this subsection, the commissioner shall certify to the
 13 secretary of interior that the mineral owner or lessee may
 14 be eligible for participation in coal exchange programs
 15 pursuant to section 510(5) of Public Law 95-87.

16 (5) If the area proposed to be mined contains prime
 17 farmland, the department may not grant a permit to mine coal
 18 on the prime farmland unless it finds in writing that the
 19 applicant has the technological capability to restore the
 20 mined area, within a reasonable time, to equivalent or
 21 higher levels of yield as nonmined prime farmland in the
 22 surrounding area under equivalent levels of management and
 23 can meet the soil reconstruction standards of 82-4-232(3).
 24 Nothing in this subsection applies to any permit issued
 25 prior to August 3, 1977, or to any revisions or renewals

1 thereof, or to any existing strip- or underground-mining
2 operations for which a permit was issued prior to August 3,
3 1977.

4 (6) If the department finds that the overburden on any
5 part of the area of land described in the application for a
6 prospecting, strip-mining, or underground-mining permit is
7 such that experience in the state with a similar type of
8 operation upon land with similar overburden shows that
9 substantial deposition of sediment in streambeds,
10 subsidence, landslides, or water pollution cannot feasibly
11 be prevented, the department shall delete that part of the
12 land described in the application upon which the overburden
13 exists. The burden is on the applicant to demonstrate that
14 any area should not be deleted under this subsection.

15 (7) If the department finds that the operation will
16 constitute a hazard to a dwelling house, public building,
17 school, church, cemetery, commercial or institutional
18 building, public road, stream, lake, or other public
19 property, the department shall delete those areas from the
20 prospecting, strip-mining, or underground-mining permit
21 application before it can be approved. In no case may strip-
22 or underground-coal-mining be allowed within 300 feet of any
23 occupied dwelling, unless waived by the owner, nor within
24 300 feet of any public building, school, church, community,
25 or institutional building, or public park; nor within 100

1 feet of a cemetery; nor within 100 feet of the outside
2 right-of-way line of any public road, except where mine
3 access roads or haulage roads join such right-of-way line.
4 The department may permit such roads to be relocated or the
5 area affected to lie within 100 feet of the road if, after
6 public notice and opportunity for public hearing in the
7 locality, a written finding is made that the interests of
8 the public and the landowners affected will be protected.

9 (8) No strip- or underground-mining may be conducted
10 within 500 feet of active or abandoned underground mines in
11 order to prevent breakthroughs and to protect health or
12 safety of miners. The department shall permit an operator to
13 mine near, through, or partially through an abandoned
14 underground mine or closer to an active underground mine if:

15 (a) the nature, timing, and sequencing of specific
16 strip-mine activities and specific underground-mine
17 activities are jointly approved by the department and the
18 regulatory authority concerned with the health and safety of
19 underground miners; and

20 (b) such operations will result in improved resource
21 recovery, abatement of water pollution, or elimination of
22 hazards to the health and safety of the public.

23 (9) The department may not approve an application for
24 a strip- or underground-coal-mining operation if the area
25 proposed to be mined is included within an area designated

1 unsuitable for strip or underground coal mining or within an
 2 area under review for this designation under an
 3 administrative proceeding, unless in such an area as to
 4 which an administrative proceeding has commenced pursuant to
 5 this part, the operator making the permit application
 6 demonstrates that prior to January 1, 1977, he made
 7 substantial legal and financial commitments in relation to
 8 the operation for which he is applying for a permit.

9 (10) No permit or major permit revision for a strip- or
 10 underground-coal-mining operation may be issued unless the
 11 applicant has affirmatively demonstrated by its coal
 12 conservation plan that no failure to conserve coal will
 13 occur. The department may require the applicant to submit
 14 any information it considers necessary for review of the
 15 coal conservation plan.

16 (11) Whenever information available to the department
 17 indicates that any strip- or underground-coal-mining
 18 operation owned or controlled by the applicant is currently
 19 in violation of Public Law 95-87, as amended, or any state
 20 law required by Public Law 95-87, as amended, or any law,
 21 rule, or regulation of the United States or of any
 22 department or agency in the United States pertaining to air
 23 or water environmental protection, the department shall not
 24 issue a strip- or underground-coal-mining permit or major
 25 revision until the applicant submits proof that the

1 violation has been corrected or is in the process of being
 2 corrected to the satisfaction of the administering agency.

3 (12) The department may not issue a strip- or
 4 underground-coal-mining permit or major revision to any
 5 applicant which it finds, after an opportunity for hearing,
 6 owns or controls any strip or underground-coal-mining
 7 operation which has demonstrated a pattern of willful
 8 violations of Public Law 95-87, as amended, or any state law
 9 required by Public Law 95-87, as amended, of such a nature
 10 and duration and with such resulting irreparable damage to
 11 the environment to indicate an intent not to comply with the
 12 provisions of this part.

13 (13) Subject to valid existing rights, no strip- or
 14 underground-coal-mining operations except those which
 15 existed as of August 3, 1977, may be conducted on private
 16 lands within the boundaries of units of the national park
 17 system, the national wildlife refuge systems, the national
 18 wilderness preservation system, the wild and scenic rivers
 19 system, including study rivers designated under section 5(a)
 20 of the Wild and Scenic Rivers Act, or national recreation
 21 areas designated by act of congress."

-End-

House amendments to Senate Bill 278:

1. Page 2.

Following: line 13

Insert: "(b) Ecological fragility in the sense that the hydrologic system associated with the land once affected would have a significant adverse impact to a significant number of the members of species of wildlife or domestic stock."

Reletter: subsequent subsections