

Rulemaking Fact Sheet

(5 MRSA §8057-A)

AGENCY: Department of Environmental Protection

DEPARTMENT CONTACT:

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CHAPTER NUMBER and TITLE: Chapter 200: Metallic Mineral Exploration, Advanced Exploration and Mining

STATUTORY AUTHORITY: 38 M.R.S. §§ 341-D, 490-NN, and PL 2011, Chapter 653 § 31

DATE AND PLACE OF PUBLIC HEARING:

December 18, 2012, 1:00 P.M., DEP Response Training Room, 4 Blossom Lane, (AMHI Complex), Augusta

COMMENT DEADLINE: January 18, 2013, 5:00 P.M.

PRINCIPAL REASON OR PURPOSE FOR PROPOSING THIS RULE: Portions of the existing rule are proposed to be amended to clarify the application requirements for metallic mineral exploration and advanced exploration activities. The Department is undertaking this rulemaking in response to the direction of PL 2011, Chapter 653, Section 31, paragraph 2. This is a routine technical rulemaking. The Department will also be undertaking a major substantive rulemaking to amend and update the mining rules over the coming year.

ANALYSIS AND EXPECTED OPERATION OF THE RULE: Previously, the Department had few specific submission requirements for metallic mineral exploration activities or for advanced exploration activities. The existing rule left the scope of the advanced exploration application to be determined at a preapplication meeting. This permitting process for advanced exploration did not provide an applicant with predictability as to what would be required of them in seeking a permit to conduct advanced exploration for metallic minerals. The proposed amendments describe specific application requirements, providing greater predictability to the applicant and other interested parties.

FISCAL IMPACT OF THE RULE: The proposed amendments are not expected to have any substantial fiscal impacts. The amendments are intended to clarify the licensing procedures and requirements for exploration and advanced exploration activities. The intent is that the process will be more understandable and predictable for applicants and any interested persons who wish to comment on an application.

BRIEF SUMMARY OF INFORMATION CONSIDERED DURING RULE DEVELOPMENT: The proposed amendments are based on the guidance provided by Public Law 2011, Chapter 653, as well as a review of the existing rule. Copies of these rules are available upon request by contacting the Department contact person or on the DEP website at www.maine.gov/dep/rules/.