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House Bill 4914 (as passed by the House)
Sponsor: Representative Eileen Kowall
House Committee: Appropriations
Senate Committee: Appropriations

Date Completed: 10-10-11

CONTENT

House Bill 4914 would amend Part 631 (Reclamation of Mining Lands) of the Natural Resources and Environmental Protection Act (NREPA) by removing provisions that apply to nonmetallic mining operations (in Sections 63101-63103e) and repealing a section that required the Department of Environmental Quality (DEQ) perform a comprehensive study on the type of mining regulation necessary in the State. The bill also would make some technical changes to Parts 13, 91, 631, and 633 of NREPA.

Currently, the Office of Geological Survey operates the Mining and Reclamation Program, which regulates the following five types of mines:

- Iron mines
- Nonferrous metal mines
- Sand dune mines
- Coal mines
- Nonmetallic open-pit mines

The bill would remove references to nonmetallic mines from Part 631, effectively allowing the Mining and Reclamation Program to officially eliminate any oversight programs of nonmetallic mines.

Under Section 63102 of NREPA, the Department was required to undertake a comprehensive study of the type and extent of regulation on mining areas necessary in the public interest. The bill would repeal this section. The study was completed in the 1970s.

MCL 324.1301 et al.

FISCAL IMPACT

House Bill 4914 would have no fiscal impact on the DEQ. The Mining and Reclamation Program received \$130,800 in restricted funding in FY 2009-10; none of the funding came from nonmetallic mines. From 1970 to 1982, the Mining and Reclamation Program received a GF/GP appropriation to perform regulatory actions on nonmetallic mines. Since no permit is required to operate a nonmetallic mine in the State, there is no restricted revenue source (such as permit fees) to do any inspection or regulatory activities on these mines. Once GF/GP funding was removed in 1982, the DEQ ceased inspection and regulatory activities on nonmetallic mines, and has not done any of these activities since.

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