

Requested by Senator GIROD

**PROPOSED AMENDMENTS TO
SENATE BILL 1579**

1 On page 2 of the printed bill, delete lines 22 through 41 and insert:

2 **“SECTION 3.** ORS 517.753 is amended to read:

3 “517.753. (1) Notwithstanding the yard and acre limitations of ORS 517.750
4 (16), a person [*must*] **shall** obtain an exclusion certificate from the State
5 Department of Geology and Mineral Industries [*to engage in surface mining*
6 *that results in the extraction of 5,000 cubic yards or less of minerals or affects*
7 *less than one acre of land within a period of 12 consecutive calendar*
8 *months.*] **for each surface mining operation that, within a 12-month**
9 **period, results in the extraction of between 1,500 and 5,000 cubic yards**
10 **of minerals.**

11 **“(2) Mining conducted under a valid exclusion certificate may ex-**
12 **pand the affected area by not more than one acre of land within any**
13 **12-month period unless the total acreage of surface disturbance by the**
14 **mining operation exceeds five acres.**

15 **“(3) Except as provided in ORS 517.755, [*a mining operation subject to*]**
16 **surface mining conducted under** a valid exclusion certificate is [*not sub-*
17 *ject to*] **exempt from** the operating permit [*or*] **and** reclamation requirements
18 set forth in ORS 517.702 to 517.989.

19 **“[(2)] (4) A person shall submit an exclusion certificate application on a**
20 **form provided by the department, accompanied by a fee not to exceed \$400.**
21 [*If the*] **Unless the** department [*does not approve or disapprove*] **denies** the

1 application within 90 days after [*the date the application is filed with the*
2 *department*] **filing**, the application [*shall be*] **is** deemed approved.

3 “[~~(3)~~] **(5)** Each holder of an exclusion certificate shall annually pay to the
4 department a renewal fee [*of \$150*] **not to exceed \$165**, accompanied by a
5 description of:

6 “(a) The amount of minerals extracted pursuant to the certificate during
7 the previous 12 months;

8 “(b) The total acreage of surface disturbance by the mining operation as
9 of the date that the renewal is submitted; and

10 “(c) Any additional information required by the department to determine
11 [*that*] **whether** the mining operation continues to qualify for an exclusion
12 certificate.”.

13 On page 3, delete lines 8 through 10 and insert:

14 “(2) A holder of an operating permit that did not extract minerals during
15 the preceding 12-month period shall pay to the department an annual renewal
16 fee of \$1,200. A holder of an operating permit that extracted minerals during
17 the preceding 12-month period shall pay to the department an annual renewal
18 fee of \$1,460 and \$0.0125 per ton of minerals extracted during the preceding
19 12-month period.”.

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