EXHIBIT 1
DATE 2-14-07
HB 460

Amendments to House Bill No. 460
1st Reading Copy

For the House Natural Resources Committee

Prepared by Todd Everts
February 2, 2007 (2:54pm)

1. Title, line 6 through line 7.
Strike: "AND" on line 6 through "EXTRAORDINARY" on line 7

2. Page 3, line 23.
Strike: "effluent limitations"
Insert: "water quality standards"

3. Page 7, line 2.
Strike: "untreated mined or processed"

4. Page 7, line 3.
Strike: "waste"
Insert: "mine-related"
Strike: "would be acid-forming"
Insert: "have a reasonable probability of causing violations of water quality standards upon contact with surface water or ground water"

5. Page 7, line 4.
Following: "location"
Insert: "or management of those materials in a manner"

6. Page 10, line 11.
Strike: "and extraordinary"

7. Page 10, line 13.
Following: "exists"
Insert: "or that there is a reasonable probability that a violation of water quality standards will occur"

8. Page 10, line 15.
Following: "bond"
Strike: ", not to exceed a period of 2 years,"

9. Page 10.
Following: line 28
Insert: "(c) An approved interim amended reclamation plan and interim bond must remain in effect until the earlier of:
(i) the date that a revised reclamation plan is approved pursuant to 82-4-337 and a permanent bond for the revised reclamation plan is submitted and accepted pursuant to this section; or

(ii) 2 years following the date of submission of a complete application pursuant to 82-4-337 to modify the reclamation plan provision or remedy the conditions that created the need to amend the reclamation plan unless the department approves or denies the complete application within 2 years of submission. The applicant may agree to an extension of this deadline.

(d) Except as provided in subsection (8), the process provided for in this subsection (7) is not subject to the provisions of Title 75, chapter 1.

(8) (a) In determining whether to require amendment of a reclamation plan under subsection (7)(a), the department shall prepare or require the permittee to prepare a written analysis of changes in the reclamation plan that may eliminate or mitigate to an acceptable level the environmental condition. The analysis must include an assessment of the effectiveness of the changes and any potential negative environmental impacts of the changes. The department shall prepare an environmental impact statement pursuant to Title 75, chapter 1, only if the department determines that the changes would not mitigate the condition to an acceptable level or may have potentially significant negative environmental impacts.

(b) If the department determines that preparation of an environmental impact statement is necessary, the permittee shall pay the department's costs pursuant to 75-1-205."

Renumber: subsequent subsections

10. Page 11, line 11.
Strike: "(9)"
Insert: "(10)"

11. Page 11, line 14.
Strike: "(9)(a)"
Insert: "(10)(a)"

12. Page 11, line 15.
Strike: "(9)(a)"
Insert: "(10)(a)"

13. Page 11, line 20.
Strike: "(9)(a)"
Insert: "(10)(a)"

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