



AN ACT CLARIFYING THE PROHIBITION OF CYANIDE HEAP AND VAT LEACH OPEN-PIT GOLD AND SILVER MINING; AND AMENDING SECTION 82-4-390, MCA.

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

Section 1. Section 82-4-390, MCA, is amended to read:

"82-4-390. Cyanide heap and vat leach open-pit gold and silver mining prohibited. (1) Open-pit mining for gold or silver using heap leaching or vat leaching with cyanide ore-processing reagents is prohibited except as described in ~~subsection~~ subsections (2) and (3).

(2) A mine described in this section operating on November 3, 1998, may continue operating under its existing operating permit or any amended permit that is necessary for the continued operation of the mine.

(3) (a) Except as provided in subsection (3)(b), a person who holds an operating permit for an open-pit mine may have ore from that mine or other metalliferous product derived from that ore processed with cyanide ore-processing reagent in a facility at a mine that on November 3, 1998, was using cyanide ore-processing reagent pursuant to an operating permit that included both the facility and the associated mine.

(b) If the mine referred to in subsection (3)(a) was using cyanide ore-processing reagent at a heap leaching facility, the mine may process ore or metalliferous product from another open-pit mine using cyanide ore-processing reagent only if the permit has not been and is not amended to expand the boundaries of the permitted area beyond the permitted area as it existed on November 3, 1998."

- END -

I hereby certify that the within bill,
SB 0306, originated in the Senate.

Secretary of the Senate

President of the Senate

Signed this _____ day
of _____, 2011.

Speaker of the House

Signed this _____ day
of _____, 2011.

SENATE BILL NO. 306

INTRODUCED BY T. MURPHY, VINCENT, G. BENNETT, OLSON, KEANE, BROWN, BUTTREY, YATES,
HALE

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