



ENGROSSED 1997 SENATE BILL 3

April 3, 1997 - Printed by direction of ASSEMBLY CHIEF CLERK.

1 **AN ACT** *to amend* 293.49 (1) (a) (intro.); and *to create* 293.50 of the statutes;
2 **relating to:** issuance of metallic mining permits for the mining of sulfide ore
3 bodies.

Analysis by the Legislative Reference Bureau

Engrossment information:

The text of Engrossed 1997 Senate Bill 3 consists of the following documents adopted in the senate on March 11, 1997: the bill as affected by Senate Amendment 1 (as affected by Senate Amendments 1 and 2 and the chief clerk's correction thereto) and Senate Amendment 3.

Content of Engrossed 1997 Senate Bill 3:

Current law prohibits mining for metallic minerals without a mining permit issued by the department of natural resources (DNR). This bill prohibits DNR from issuing a metallic mining permit for the mining of a sulfide ore body until DNR determines that a mine has operated in a sulfide ore body in the United States or Canada that is not capable of neutralizing acid mine drainage for at least 10 years without causing groundwater or surface water pollution that violates an environmental law and that a mine that operated in a sulfide ore body in the United States or Canada that is not capable of neutralizing acid mine drainage has been

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closed for at least 10 years without causing groundwater or surface water pollution that violates an environmental law.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 293.49 (1) (a) (intro.) of the statutes is amended to read:

2 293.49 (1) (a) (intro.) Except as provided in sub. (2) and s. 293.50 and except
3 with respect to property specified in s. 41.41 (11), within 90 days of the completion
4 of the public hearing record, the department shall issue the mining permit if it finds:

5 **SECTION 2.** 293.50 of the statutes is created to read:

6 **293.50 Moratorium on issuance of permits for mining of sulfide ore**
7 **bodies.** (1) In this section:

8 (a) "Pollution" means degradation that results in any violation of any
9 environmental law.

10 (b) "Sulfide ore body" means a mineral deposit in which metals are mixed with
11 sulfide minerals.

12 (2) Beginning on the effective date of this subsection [revisor inserts date],
13 the department may not issue a permit under s. 293.49 for the mining of a sulfide ore
14 body until all of the following conditions are satisfied:

15 (a) The department determines, based on information provided by an applicant
16 for a permit under s. 293.49, that a mining operation has operated in a sulfide ore
17 body which is not capable of neutralizing acid mine drainage in the United States or
18 Canada for at least 10 years without the pollution of groundwater or surface water
19 from acid drainage at the tailings site or at the mine site or from the release of heavy
20 metals.

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1 (b) The department determines, based on information provided by an applicant
2 for a permit under s. 293.49, that a mining operation that operated in a sulfide ore
3 body which is not capable of neutralizing acid mine drainage in the United States or
4 Canada has been closed for at least 10 years without the pollution of groundwater
5 or surface water from acid drainage at the tailings site or at the mine site or from the
6 release of heavy metals.

7 (3) This section applies without regard to the date of submission of the permit
8 application.

9

(END)