

1983 Assembly Bill 900

Date of enactment: **May 10, 1984**
Date of publication: **May 18, 1984**

1983 Wisconsin Act 517

AN ACT *to renumber and amend* 144.81 (1); and *to create* 144.815 (2) (b) to (d) of the statutes, *relating to* determining when the abandonment of mining occurs.

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

SECTION 1. 144.81 (1) of the statutes is renumbered 144.815 and amended to read:

144.815 (title) **Determination of abandonment of mining.** ~~“Abandonment (1) Except as provided under sub. (2), abandonment of mining”~~ means the occurs if there is a cessation of mining, not set forth in an operator’s mining or reclamation plans or by any other sufficient written or constructive notice, extending for more than 6 consecutive months.

(2) Abandonment of mining does not include occur:

(a) If the cessation of mining is due either to labor strikes or ~~the cessation of mining due to such unforeseen developments as adverse market conditions for a period not to exceed 5 years,~~ as determined by the department ~~after consulting with the metallic mining council;~~

SECTION 2. 144.815 (2) (b) to (d) of the statutes are created to read:

144.815 (2) (b) If the cessation of mining does not continue beyond the time period specified by the department. The time limit specified by the department may not exceed 5 years for a mining operation for which a permit is issued under s. 144.85 on or after the effective date of this paragraph (1983). The time limit specified by the department may not exceed 10 years for a mining operation for which a permit is issued under s. 144.85 before the effective date of this paragraph (1983);

(c) If the site is maintained in an environmentally stable manner, as determined by the department, during the cessation of mining; and

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(d) If the reclamation of the site continues according to the reclamation plan during the cessation of mining to the extent possible.
