



# STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

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## Bureau of Mining Regulation and Reclamation

### Rationale for Proposed Changes to NAC 519A Mining Reclamation Regulations

The current mining reclamation program requires an operator to provide the total amount of financial surety to complete reclamation obligations. Under the current Section 6 provision of NAC 519A.360, an operator may propose to provide a lesser amount than that required to complete required reclamation which is analogous to the aforementioned requirement. A corporate guarantee panel has been established by the Nevada Division of Environmental Protection NDEP to review financial data and to assess the financial security of operators who use a corporate guarantee to satisfy reclamation financial responsibility obligations. Submission of a fee or arrangement of a third-party review as required in NAC 519A.382 is no longer required. Both of these regulations are proposed to be repealed.

Proposed revisions to NAC 519A.135, NAC 519A.265, and NAC 519A.270 will require the reclamation plans for exploration projects and mining operations to include erosion and sediment control measures using State of Nevada Handbook of Best Management Practices, and to address management of noxious weeds during reclamation.

NAC 519A.215 would be modified to describe the additional information that must accompany a request to transfer a permit to a new operator. An operator may need to obtain approval from a local land management agency if the agency has authority to approve proposed postmining use(s) of private land within their jurisdiction, and NAC 519A.280 is revised to reflect this requirement.

The proposed revision to NAC 519A.350 allows insurance to be considered by the NDEP as a surety to satisfy financial assurance requirements related to mining reclamation obligations on private lands. To ensure that an operator provides surety in an amount sufficient to cover reclamation obligations, NAC 519A.360 is amended to require that the reclamation cost estimate be developed assuming a third-party contractor completing the required work.

The proposed regulation revisions will not have an immediate or long-term adverse economic impact on the public or the business community and there will be no additional costs to NDEP for enforcement of the proposed regulation. The proposed changes do not address fees, and they are essential to the functions and operation of the agency.